



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश शास्यशासन द्वारा प्रकाशित

पृष्ठ 27] क्षमला, शनिवार, 1 सितम्बर, 1979/ 10 भाद्रपद, 1901 [संख्या 35

## विषय-सूची

भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	962—974 नया 1013
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	974—978
भाग 3	नियमित, नियमों और नियमों पर तत्कालीन के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, साइनेचर कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि	978—979
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, मेट्रोपॉलिटन और टाउन एरिया तथा पंचायती राज विभाग	—
भाग 5	वैयक्तिक अधिसूचनाएं और विज्ञापन	979—982 नया 1013—1014
भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	982—1013
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनुसूचक	—

1 सितम्बर, 1979/ 10 भाद्रपद, 1901 को समाप्त होने वाले सप्ताह में निम्नलिखित विधियां 'समाचारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विधि की संख्या	विभाग का नाम	विषय
No. 17-15/70-H&FW-II, dated the 3rd March, 1979.	Department of Health and Family Welfare	The Himachal Pradesh Registration of Birth and Deaths Rules, 1978.

**भाग I—बैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि**

**हिमाचल प्रदेश सरकार**

कामिः विभाग (नियुक्ति-I)

अधिसूचनाएं

राज्यपाल निम्नलिखित आ० प्र० में परिबीक्षाधीन अधिकारियों को कार्यकारी दण्डाधिकारी (Executive Magistrate) सहित नियुक्त करते हैं तथा आदेश देते हैं कि उनको अपने सम्बन्धित जिले की स्थानीय सीमाओं के अन्तर्गत उक्त संहिता में वर्णित कार्यकारी दण्डाधिकारी के सभी अधिकार प्राप्त होंगे:—

सिमला-171002, 16 अगस्त, 1979

1. श्री मुद्रित राय
2. एस० सी० नेगी

तिरमौर जिला  
बागडा जिला।

सं० कामिः (नि०-I)-बी० (6)-2/77.—हिमाचल प्रदेश के राज्यपाल, निम्नलिखित अधिकारियों को अपने ही क्षेत्र में, पदेन परियोजना अधिकारी सम्बन्धित ग्रामीण विकास योजना, यह कार्य-भार सम्भालने की निधि से, नियुक्ति के आदेश सहित करते हैं:—

हस्ताक्षरित,  
संयुक्त सचिव,।

1. जिला विकास एवं पंचायत अधिकारी, मण्डा।
2. जिला विकास एवं पंचायत अधिकारी, ऊना।
3. जिला विकास एवं पंचायत अधिकारी, कांगडा।
4. जिला विकास एवं पंचायत अधिकारी, हमीरपुर।
5. सामान्य सहायक जिलाधीश, किन्नीर।

कृषि विभाग

अधिसूचना

सिमला-2, 16 अगस्त, 1979

एस० एस० तोड्रांग,

मुख्य सचिव।

सत्या कृषि-बी० (2)-18/76.—इस विभाग की संयोजक अधिसूचना दिनांक 19 दिसम्बर, 1978 में श्री आर० के० जिंघा के नाम के आगे अंकित शब्द "जुनियर इंजीनियर" के स्थान पर शब्द "वांग्ड तकलाकी सहायक" पढ़े जाएंगे।

सिमला-171002, 17 अगस्त, 1979

सत्या 10-2/72-कामिः (नि०-I).—जीजदारी प्रक्रिया संहिता (Code of Criminal Procedure), 1973 की धारा 20-1 द्वारा प्रदत्त अधिकारों को प्रयोग करते हुये हिमाचल प्रदेश के

आदेश में,  
अंग्रेज पाल,  
सचिव।

**BOARD OF DEPARTMENTAL EXAMINATIONS**

**NOTIFICATIONS**

Simla-171012, July 16, 1979



राजपूत, हिमालय प्रदेस, 1 सितम्बर, 1979/10 ब्राह्मण, 1901

1	2	3	4	1	2	3	4	5	6	7
13.	Dr. Birinder Singh	Epidemiologist, 13/3 Nabha House, Simla-4.	513	A	A	A	—	—	—	—
14.	Dr. B.C. Bist	Junior Epidemiologist, Hem Niwas, Simla-1.	514	A	A	A	—	—	—	—
15.	Shri Paras Ram Negi	Manager, Sheep Breeding Farm, Karchham, District Kinnaur, Himachal Pradesh.	515	A	A	A	—	—	—	—
16.	Shri Manmohan Singh Chahal.	District Animal Husbandry Officer, at Reckong Peo, District Kinnaur, Himachal Pradesh.	516	Pass	Pass	Pass	Pass	—	—	—
17.	Shri R.P. Jain	Lecturer in Civil Engineering, Government Polytechnic, Hamirpur, Himachal Pradesh.	517	—	—	Pass	—	—	Pass	—
18.	Shri D.N. Machhan	Assistant Conservator of Forests, Rohru Forest Division, Rohru, Himachal Pradesh.	518	Fail	Fail	—	—	—	Fail	—
19.	Shri R.C. Trehan	Executive Engineer, Forests, Dharamsala District Kangra, Himachal Pradesh.	519	A	A	A	—	—	—	—
20.	Shri Krishan Dass	Assistant Conservator of Forests, C/o Divisional Forest Officer, Rajgarh.	520	Pass	Pass	Pass	—	Pass	Fail	Pass
21.	Shri Vinay Tandon	Assistant Conservator of Forests, Kotgarh, District Simla, Himachal Pradesh.	521	Pass	—	—	—	Pass	Fail	Pass
22.	Shri Vijay Kumar Bhargwa	Assistant Engineer, Nahan, District Sirmur, Himachal Pradesh.	522	Fail	Fail	Pass	—	Pass	Pass	Fail
23.	Shri Lavanya Malhotra	Assistant Surveyor of Works, Office of the Chief Engineer, Himachal Pradesh, Public Works Department, Simla.	523	Pass	—	—	—	—	—	—
24.	Shri Surender Kumar	Assistant Surveyor of Works, 2nd Circle, Himachal Pradesh, Public Works Department, Simla-3.	524	Pass	Fail	Fail	—	Pass	Fail	—
25.	Shri Ravi Chand Vaidya	Executive Engineer, Irr.-cum-Public Health Division, Himachal Pradesh, Public Works Department, Chamba.	525	Pass	Pass	Pass	—	Pass	Fail	Pass
26.	Shri Chet Ram Awasthi	Assistant Engineer, Mechanical Sub-Division, Himachal Pradesh, Public Works, Department, Mandi.	526	Pass	Pass	Pass	—	—	—	—

27.	Shri Pishori Lal Almadi	Assistant Engineer, Mandi Sub-Division No. IV, Himachal Pradesh, Public Works Department, Mandi.	527	Pass	—	Pass	—	Pass	Fail	—
28.	Shri Arun Kumar Mahajan	Assistant Surveyor of Works, 1st Circle, Himachal Pradesh, Public Works Department, Mandi, District Mandi.	528	Pass	—	—	—	—	—	—
29.	Shri Tehal Singh	Surveyor of Works, 1st Circle, Himachal Pradesh, Public Works Department Mandi, District Mandi.	529	Pass	Fail	—	—	Pass	—	—
30.	Shri D.K. Sharma	Assistant Surveyor of Works, 1st Circle, Himachal Pradesh, Public Works Department, Mandi, District Mandi.	530	—	Fail	—	—	—	Pass	—
31.	Shri M.S. Chauhan	Assistant Engineer, Mandi Sub-Division No. II, Himachal Pradesh Public Works Department, Mandi, District Mandi.	531	Pass	Pass	Pass	—	Fail	Pass	Pass
32.	Shri Partap Singh Dogra	Assistant Engineer, Sarkaghat Sub-Division No. II, Himachal Pradesh, Public Works Department, Sarkaghat, Mandi.	532	Pass	—	—	—	Pass	—	Pass
33.	Shri Mukesh Kumar Handa	Assistant Engineer (Design), T. V./3, Richmond Estate, Simla-1.	533	Pass	—	—	—	—	—	Pass
34.	Shri Ravinder Kumar Dogra.	Assistant Engineer, P&D Unit, Himachal Pradesh, Public Works Department, U. S. Club, Simla-1.	534	A	—	—	—	—	—	—
35.	Shri Arun Sharma	Assistant Engineer (P&D) Himachal Pradesh, Public Works Department, U. S. Club, Simla-1.	535	Pass	Fail	Pass	—	Fail	Pass	Fail
36.	Shri Yashpal Rana	Assistant Engineer (Design) World Bank Project, Himachal Pradesh, Public Works Department, U.S. Club, Simla-1.	536	A	—	A	—	A	—	A
37.	Shri Bishan Dass	Assistant Engineer (Design) Himachal Pradesh, Public Works Department, 6th Circle, Kulu, Himachal Pradesh.	537	Pass	—	Fail	—	—	—	—
38.	Shri M.P. Srivastava	Assistant Fruit Technologist, Fruit Canning Unit, Nagrota Bagwan, District Kangra, Himachal Pradesh.	538	Pass	—	—	—	—	—	—
39.	Shri Omkar Nath Kaul	Research Officer, Plan Formulation Cell Planning Department, Himachal Pradesh Simla-2.	539	Pass	Pass	Fail	—	—	—	—

1	2	3	4	1	2	3	4	5	6	7
40.	Shri Shyam Sunder	Assistant Surveyor of Works, Irrigation Circle, Himachal Pradesh, Public Works Department, Kasumpti, Simla-9.	540	Pass	Pass	Pass	—	Pass	Pass	Pass
41.	Mrs. Mahindra Malhotra	District Statistical Officer, Kulu, Himachal Pradesh.	541	Pass	Pass	Pass	—	Pass	Pass	Pass
42.	Shri Amrit Lal Gupta	Statistician, Directorate of Economics and Statistics, Himachal Pradesh, Simla-1.	542	Pass	—	Fail	—	—	—	—
43.	Shri K.K. Vyas	Food Microbiologist, Pleasant House, Sanjauli, Simla-6.	543	A	A	A	—	—	—	—
44.	Shri Kishan Singh Kashyap	Poultry Development Officer, Poultry Farm, Kamla, District Simla, Himachal Pradesh.	544	Pass	A	A	—	—	—	—
45.	Shri G.C. Sangha	Workshop Superintendent, Government Polytechnic, Hamirpur, Himachal Pradesh.	545	—	—	—	—	—	Pass	—
46.	Shri Y.D. Sharma	Lecturer in Electrical Engineering, Government Polytechnic, Hamirpur, Himachal Pradesh.	546	A	—	—	—	—	A	—
47.	Shri Neel Chand Sharma	Surveyor of Works, Irr. and Public Health Circle, Himachal Pradesh, Public Works Department, Kasumpti, Simla-9.	547	Fail	Pass	A	—	Pass	Pass	Pass
48.	Shri B.L. Wangnue	Assistant Engineer, Irrigation-cum-Public Health Sub-Division No. 1, Himachal Pradesh, Public Works Department, Palampur, District Kangra.	548	A	A	A	A	A	A	A
49.	Shri J.K.D. Chauhan	Assistant Surveyor of Works, Set No. 3 Ever Sunny Building, Lower Bharari Road, Simla-1.	549	—	—	Pass	—	Pass	—	—
50.	Shri Krishna Chandra Aggarwal	Assistant Engineer, Irrigation-cum-Public Health Sub-Division, Himachal Pradesh, Public Works Department, Renuka.	550	—	—	—	—	A	—	—
51.	Shri Joginder Singh	District Agriculture Officer, Bilaspur	551	A	A	A	A	A	A	A
52.	Shri Hans Raj Sharma	Assistant Accounts Officer (T&A Orgn.) Civil Bazar, Dharamsala, District, Kangra, Himachal Pradesh.	552	Pass	—	Pass	—	—	—	A

53.	Shri J.S. Katoch	Assistant Engineer, National Highway Sub-Division, Himachal Pradesh, Public Works Department, Sundernagar, District Mandi.	553	See Roll No. 587.						
54.	Shri Lalit Kumar Kapoor	Assistant Engineer, Sub-Division No. I, Irrigation and Public Health, Himachal Pradesh, Public Works, Department, Simla-9.	554	A	A	A	—	A	A	A
55.	Shri Vinod Kumar Goel	Assistant Engineer, (B&R) C/o Chief Engineer, Himachal Pradesh, Public Works Department, U.S. Club, Simla-1.	555	Fail	—	—	—	—	Pass	—
56.	Shri Bhagwati Prasad Pant	Assistant Engineer, Tahliwala Sub-Division Himachal Pradesh, Public Works Department at Haroli P.O. Haroli, District Una.	556	—	—	—	—	Pass	—	—
57.	Shri Nand Lal Sharma	Engineer Officer, 8th Circle, Himachal Pradesh, Public Works Department, Hamirpur.	557	A	A	Pass	—	Fail	Pass	—
58.	Shri R.S. Thakur	Assistant Engineer, Irrigation-cum-Public Health Sub-Division, Himachal Pradesh, Public Works Department, Mandi.	558	Pass	—	Pass	—	Pass	Pass	—
59.	Shri Ranjit Singh	Assistant Engineer, Irrigation-cum-Public Health Sub-Division, Gohar, District Mandi.	559	Fail	Pass	A	—	Pass	Pass	Pass
60.	Shri Kuldip Singh	Assistant Engineer, Irrigation-cum-Public Health Sub-Division, Himachal Pradesh Public Works Department, Ghumarwin.	560	A	Fail	Fail	—	Pass	Pass	Fail
61.	Shri Mohinder Khanna	Assistant Surveyor of Works, 5th Circle, Himachal Pradesh, Public Works Department, Dharamsala, District Kangra.	561	Pass	Fail	Fail	—	Pass	Fail	Fail
62.	Shri Rajender Kumar Gupta.	Assistant Surveyor of Works, Irrigation-cum-Public Health Circle, Himachal Pradesh, Public Works Department Dharamsala.	562	Pass	—	—	—	—	Fail	—
63.	Shri Kamlesh Kumar Kampany.	Assistant Surveyor of Works, Himachal Pradesh, Public Works Department, U.S. Club, Simla-1.	563	Fail	—	—	—	—	Fail	—

1	2	3	4	1	2	3	4	5	6	7
64.	Miss Priya Singh	District Employment Officer, Kulu, Himachal Pradesh.	564	—	—	—	—	Pass	Pass	—
65.	Shri B.S. Azad	Assistant Engineer, Himachal Pradesh, Public Works Department, Jaisinghpur.	565	A	A	A	—	A	A	A
66.	Shri Ravi Bhushan Mehta	Assistant Engineer, Himachal Pradesh, Public Works Department, (B&R) Gohar Sub-Division, Gohar, District Mandi.	566	—	—	Fail	—	Pass	—	—
67.	Shri Chander Prakash Gupta.	Principal, Industrial Training Institute, Simla-5.	567	Fail	—	—	—	—	Pass	—
68.	Shri Ishwar Dass Sood	Block Development Officer, Hamirpur, Himachal Pradesh.	568	—	Pass	Pass	—	Pass	Pass	—
69.	Shri Laxman Singh	Block Development Officer, Salooni, District Chamba, Himachal Pradesh.	569	A	A	A	A	A	A	A
70.	Shri B. N. Gupta	State Vocational Guidance Officer, Directorate of Employment and Training, Himachal Pradesh, Simla-2.	570	Pass	—	—	—	—	—	—
71.	Shri N. C. Bhardwaj	Principal, I.T.I. Shamshi, District Kulu, Himachal Pradesh.	571	—	—	Pass	—	—	Pass	—
72.	Shri A.K. Pandey	Assistant Engineer, Mechanical Sub-Division No. I, Himachal Pradesh, Public Works Department, Shamshi (Kulu).	572	A	A	A	—	—	—	—
73.	Shri Ashwani Kumar Kashyap.	Assistant Engineer, Mechanical Sub-Division No. II, Himachal Pradesh, Public Works Department, Dhalli, Simla-12.	573	—	Pass	—	—	—	—	—
74.	Shri Ramesh Chand Gupta.	Assistant Engineer, Dharamsala Sub-Division No. I, Himachal Pradesh, Public Works Department, Dharamsala, District Kangra.	574	Pass	Pass	Pass	—	Pass	Fail	Fail
75.	Shri Satish Kumar Gupta	Assistant Surveyor of Works (N.H.) Himachal Pradesh, Public Works Department, U. S. Club, Simla-1.	575	—	—	—	—	Pass	—	—
76.	Shri Balbir Singh Kaushal	Assistant Engineer, Irrigation-cum-Public Health Sub-Division, Himachal Pradesh, Public Works Department, Bharmour, District Chamba.	576	A	A	A	—	Pass	Pass	Fail



77.	Sh. Rajender Prasad Sharma.	Assistant Engineer, Irr.-cum-Public Health Sub-Div. No. I, Dehra, Distt. Kangra.	577	Fail	Pass	Pass	—	Pass	Fail	—
78.	Sh. Rattan Chand	Assistant Engineer, National Highway Sub-Div. No. I, H.P. P.W.D., Pandoh, District Mandi.	578	A	A	A	—	A	A	A
79.	Sh. Gandharb Singh Rana	Assistant Conservator of Forests, Hamirpur Forest Division, Hamirpur, H.P.	579	A	A	A	—	—	—	—
80.	Sh. J. C. Sharma	Assistant Conservator of Forests, Kulu, P.O. Kulu, District Kulu, H.P.	580	A	—	A	—	—	—	—
81.	Sh. Kewal Krishan Bhanot.	Assistant Controller, Weights and Measures, Palampur, District Kangra, H.P.	581	Pass	Pass	Pass	—	—	—	—
82.	Sh. Jagdish Chandra Nagraik.	District Agriculture Officer, Simla	582	A	A	A	A	A	A	A
83.	Sh. I. C. Gupta	Distt. Agr. Officer, Hamirpur, H.P.	583	Pass	Pass	Pass	Pass	Pass	Pass	Pass
84.	Dr. Bhagat Singh Vir	Distt. Agr. Officer, Mandi, H.P.	584	Pass	Pass	Pass	Pass	Pass	Pass	Pass
85.	Sh. H. N. Sharma	Distt. Co-op. and Supplies Officer (Spl.) Kennedy House, Simla-4.	585	—	—	—	—	—	A	—
86.	Sh. D. R. Shakya	Distt. Co-op. and Supplies Officer (Dev.) Kennedy House, Simla-4.	586	Pass	—	—	—	—	—	—
87.	Sh. J. S. Katoch	Assistant Engineer, National Highway Sub-Division, H.P. P.W.D., Sundernagar.	587	—	—	—	—	Pass	—	—
88.	Sh. S. D. Sharma	Assistant Engineer, H.P. P.W.D., Sub-Division Barsar, Distt. Hamirpur.	588	Fail	A	Fail	—	Fail	A	Fail
89.	Sh. G. K. Aggarwal	Assistant Engineer, Irr.-cum-Public Health Sub-Div. H.P. P.W.D., Karsog.	589	A	A	A	—	A	A	A
90.	Sh. N. C. Bhasin	Assistant Geologist, Office of the State Geologist, Khalini, Simla-2.	590	Pass	—	—	—	—	—	—
91.	Sh. Hari Prakash	Assistant Geologist, Geological Cell, Dept. of Industries, Khalini, Simla-2.	591	Pass	—	—	—	—	—	—
92.	Sh. Faqir Chand Sharma	Driller, C/o Geologist, H.P. Simla-2.	592	Pass	—	—	—	—	—	—
93.	Sh. T. R. Kashyap	Block Development Officer, Dharampur, District Solan, H.P.	593	Pass	Pass	Pass	—	Pass	Pass	Pass

1	2	3	4	1	2	3	4	5	6	7
94.	Sh. Gajendra Pal Kapur	Block Development Officer, Chauntra District Mandi, Himachal Pradesh.	594	A	A	A	—	A	A	A
95.	Sh. D. R. Chandel	Block Development Officer (Hqrs). Nigam Vihar, Simla-2.	595	A	A	A	—	A	A	A
96.	Sh. S. P. Gupta	Officer-on-Special Duty, H.P. State Forest Corporation, Willow Bank, Simla-1.	596	Pass	Pass	Fail	—	Pass	Fail	Pass
97.	Sh. J. L. Frank	S.D.M. Swara, Tehsil Jubbal, Distt: Simla	597	Pass	Pass	Pass	—	Pass	Pass	Pass
98.	Sh. G. R. Chauhan	Distt. Co-op. and Supplies Officer (Audit) Kennedy House, Simla-4.	598	—	—	—	—	Pass	Pass	—
99.	Sh. Om Prakash Kant	Distt. Employment Officer, Kelong, H.P.	599	Pass	Pass	A	—	Pass	Pass	Pass
100.	Sh. S. B. Dogra	Deputy Superintendent of Police, Simla	600	—	—	—	—	Pass	Pass	Pass
101.	Sh. Har Gopal Kapur	Vety. Asstt. Surgeon, Manali, District Kulu (H.P.)	601	—	—	—	—	A	A	—
102.	Dr. Shiv Saran Chauhan.	Veterinary Assistant Surgeon, Incharge, Regional Bull Centre, Jeori, District Simla.	602	Pass	Pass	Pass	—	A	A	A
103.	Sh. Duni Chandra	Block Development Officer, Nadaun District Hamirpur, Himachal Pradesh.	603	—	—	Pass	—	—	—	—
104.	Sh. Jatinder Lal Sud	Assistant Geologist, C/o State Geologist, Khalini, Simla-2.	604	Pass	—	Fail	—	—	—	—
105.	Sh. Moti Sagar Jain	Assistant Conservator of Forests, Wild Life Circle, Talland, Simla-1.	605	—	—	—	—	Pass	—	—
106.	Sh. Devi Ram Pawar	Assistant Town Planner, C/o Town and Country Planning Org. H.P. P.W.D., Simla-1.	606	—	—	—	—	Pass	—	—

111.	Sh. B.L. Gupta	Assistant Architect, Office of the Senior Architect, H.P. P.W.D., U.S. Club, Simla.	611	A	A	Pass	—	—	—	—
112.	Sh. B.S. Parmar	Assistant Engineer, H.P. P.W.D., Bilaspur, Sub-Division No. III, Bilaspur.	612	—	Fail	—	—	Pass	Fail	—
113.	Sh. Anil Vishwas	Assistant Engineer, House No. 3, Street No. 3, Lakkar Bazar, Simla-1.	613	—	—	Pass	—	—	—	—
114.	Sh. S. K. Bhatnagar	Assistant Engineer, H.P. P.W.D., Winter Field Cottage, Simla-3.	614	—	—	—	—	Pass	—	Pass

Note.—'A' denotes 'Absent'.

Simla-171012, the 16th July, 1979

No. HIPA (Exam) 5/74-IV.—The result of the departmental examination of the officers belonging to Indian Administrative Service/Himachal Pradesh Administrative Service held in April-May, 1979 is hereby notified as below:—

Sl. No.	Name	Designation	Roll No.	S U B J E C T S													
				Criminal Law and Procedure	Criminal Case	Revenue Law and Procedure	Hindi	Revenue Case	General Administration	Planning and Development	Constitution and Civil Law	Civil Service, Treasury and Financial Rules.	Special Acts (Criminal) Manuals and Rules.	Minor (Revenue) Acts and Manuals	Motor Mechanism and Driving	Target Shooting Rifle-Revolver	Horse Riding
1	2	3	4	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Sh. J. R. Verma	HPAS Probationer HIPA, Simla-12.	801	—	—	—	—	—	A	A	A	A	A	A	—	—	—

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1	2	3	4	1	2	3	4	5	6	7	8	9	10	11	12	13	14
2.	Sh. Chander Shamsher	S.D.M. Dalhousie, Distt. Chamba, H.P.	802	—	—	—	—	—	—	Pass	—	Pass	—	—	—	Q	—
3.	Sh. Vijai Singh Negi	Deputy Director Land Records, H.P., Simla-2.	803	—	—	—	—	—	—	—	Pass	—	—	Pass	Q	—	—
4.	Sh. Rama Nand Gopal Sood.	S.D.M. Chamba, Distt. Chamba, H.P.	804	Pass	Fail	Pass	—	Pass	—	—	—	Fail	Pass	Pass	A	—	—
5.	Sh. Rakesh Kaushal	S.D.M. Pangi, Distt. Chamba, H.P.	805	—	A	—	—	—	—	—	—	—	—	—	—	—	—
6.	Sh. Trilok Chand Janartha	Project Officer, I.T.D.P., Chamba.	806	—	Fail	—	—	Pass	—	—	—	—	—	—	Fail	Q	Q
7.	Sh. Ashwani Kumar Kapur	S.D.M. Dehra, Distt. Kangra, H.P.	807	—	—	—	—	—	—	—	—	—	—	—	Q	—	—
8.	Sh. Bhagwan Singh Nainta.	G.A. to D.C., Solan, H.P.	808	—	Fail	—	—	—	—	—	—	—	—	—	—	—	—
9.	Sh. N. C. Sood	Land Acquisition Officer, H.P. S.E.B., Mandi.	809	Pass	—	—	—	—	—	—	—	—	—	—	—	—	—
10.	Sh. Shakti Singh Chandel	Asstt. Excise and Taxa- tion Commer., H.P., Simla-3.	810	—	—	—	—	—	—	Pass	—	—	—	—	—	—	—
11.	Miss Sarojani Ganju	S.D.M. Bilaspur, H.P.	811	—	Fail	—	—	—	—	—	—	—	—	Pass	Q	—	—
12.	Sh. Kashmir Chand	Project Officer, I.T.D.P. Kinnaur at Kalpa, H.P.	812	—	—	—	—	—	—	—	—	—	—	—	Fail	—	—
13.	Sh. Bharat Bhushan	H.P.A.S. Probationer HIPA, Simla-12.	813	Pass	Fail	Pass	—	Pass	A	Pass	Pass	Pass	Pass	Pass	A	Q	Q
14.	Sh. Ajai Bhandari	S.D.M. Arki, Distt. Solan, H.P.	814	A	A	—	—	—	—	—	A	A	—	—	—	—	A

Note.— 'A' denotes 'Absent'  
'Q' denotes 'Qualified'.

S. N. VERMA,  
Secretary.

## CO-OPERATION DEPARTMENT NOTIFICATION

Simla-171002, the 9th July, 1979

No. 4-13/71-Co-op (Sectt)-Vol. III.- In supersession of this Department notification of even number, dated 31st May, 1979 and in exercise of the power conferred under section 100 of the Himachal Pradesh Co-operative Act, 1968 (Act No. 3 of 1969), the Governor, Himachal Pradesh, is pleased to exempt the Sarkaghat Tehsil Co-operative Marketing Federation Ltd., Sarkaghat, District Mandi, Himachal Pradesh from the operation of that part of Section 37 (a) (ii) of the Act which prohibits the extension of the tenure of the Administrator beyond five years. The Governor, is further pleased to extend the terms of office of the Administrator of the said Federation from 5-3-1979 to 8-4-1979 the day on which the elections of the said Federation were held.

### CORRIGENDUM

Simla-171002, the 21st July, 1979

No. 4-13/71-Co-op (Sectt).—Please read section 14 (1) (v) in place of 14 (1) (6) appearing in 6th issue of this Department notification of even on dated the 11th June, 1979.

By order,  
ANANG PAL,  
Secretary.

लाघ एवं आपूर्ति विभाग

अधिसूचना

सिमला-2, 10 अगस्त, 1979

क्रमांक एफ 0 डी 0 एस 0 बी 0 (2) (9)-1/77.—राज्यपाल महोदय, हिमाचल प्रदेश विभागीय पदेनिति समिति की सिकारिण पर लाघ एवं आपूर्ति विभाग हिमाचल प्रदेश में निम्नलिखित अधिकारियों की जिला लाघ एवं आपूर्ति नियंत्रक/अध्यक्ष (श्रेणी-II) के पदों पर तत्काल से स्थाई करने का आदेश देते हैं:—

I. जिला लाघ एवं आपूर्ति नियंत्रक. (350-900 वेतनमान)

1. श्री इंद्र जीत गुप्त,
2. श्री मिल प चन्द,
3. श्री व्यास देव शर्मा,
4. श्री मादू राम,
5. श्री बी 0 एस 0 महतो,
6. श्री सी 0 एल 0 हुण्डा,
7. श्री आर 0 एस 0 दयाल,
8. श्री धर्म सिंह ।

II. अध्यक्ष (500-900 वेतनमान) ।

9. श्री अर्जुन सिंह ।

सुरेन्द्र मोहन कंवर,  
आयुक्त एवं सचिव ।

शिक्षा विभाग

अधिसूचना

सिमला-171002, 13 अगस्त, 1979

सं 0 डी 0 एन 0 I (बी 0) 3-9/77.—राज्यपाल, हिमाचल प्रदेश, श्रीमती इन्द्रा कश्यप, प्राध्यापक (हिंदी) जो माता सुरदरी कालेज, नई दिल्ली में प्रतिनियुक्ति पर थीं अब विदेशी सेवा से

वापिस आने पर राजकीय महाविद्यालय, नानागढ़ में प्राध्यापक (हिंदी) के रिक्त पद पर नियुक्ति के आदेश देते हैं ।

बी 0 सी 0 नेगी,  
सचिव ।

## FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT NOTIFICATION

Simla-171002, the 17th August, 1979

No. 1-172-SF (Estt.)-Vol. VI.- In continuation of this Department Notification No. 2-6/75-SF (Estt.)-II., dated 7-7-1979, the Governor, Himachal Pradesh, is pleased to order that Shri Sita Ram Chauhan, promoted as Assistant Conservator of Forests, on ad hoc basis, presently on deputation with the Himachal Pradesh State Forest Corporation, will continue on deputation under the said Corporation till further orders.

2. Orders reg: placing the services of Shri D. S. Saini, A.C.F. at the disposal of the Himachal Pradesh State Forest Corporation issued vide this Department Notification No. 1-1/72-SF (Estt.), dated 24-5-1979 are hereby cancelled.

Sd/-  
Secretary.

## INDUSTRIES DEPARTMENT NOTIFICATION

Simla-2, the 13th August, 1979

No. 4-19/72-SI (MIDC).—In exercise of the powers conferred on him under Article 82 of the Memorandum of Articles of Association of the H.P. Mineral and Industrial Development Corporation Ltd., the Governor, Himachal Pradesh, is pleased to appoint Shri Hans Raj Akhrot, M.L.A. as a Director of the aforesaid Corporation with immediate effect.

By order,  
R. C. GUPTA,  
Secretary.

## PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-171002, the 24th June, 1979

No. PW-B-33 (1)-49/79.—The Governor of Himachal Pradesh, is pleased to constitute work allotment committee with full powers for local purchases for materials and allotment of work in piece-meal whether with negotiations or by tenders, consisting of the following:—

1. Superintending Engineer, 4th Circle, Himachal Pradesh Public Works Department. Simla-3.
2. Executive Engineer, Simla Division No. II, Simla.
3. Representative of H.P. Vidhan Sabha not below the rank of Under Secretary.

The Committee is also given general permission for visiting territories outside Himachal Pradesh in connection with its business.

The function of the Committee shall be as under:—

To make local purchases of material and allotment of work whether with negotiations or by tenders in piece-meal in connection with 'Construction of Library Wing' of Himachal Pradesh Vidhan Sabha.

Simla-2, the 16th July, 1979

No. 1-50/69-PW 'A' (Vol. III).—In continuation of this Department notification of even number, dated the 31st March, 1979, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to extend the ad-hoc appointments of the following Assistant Engineers (Mechanical) in Himachal Pradesh Public Works Department for

a further period from 1-4-1979 to 30-9-1979 or till these posts are filled up on a regular basis whichever is earlier:—

Sl. No. Name of Officers

1. Shri V. K. Aggarwal
2. Shri R. S. Pathania
3. Shri A. K. Sehgal
4. Shri R. K. Bansal
5. Shri Subash Chander Gupta.

B. C. NEGI,  
Commissioner-cum-Secretary.

#### CORRIGENDA

Simla-171002, the 18th July, 1979

No. 9-12 73-PW (B).—In Himachal Pradesh Government, Public Works Department notification No. 9-12/73-PW-B, dated 25th May, 1979 issued under section 4 of the Land Acquisition Act, 1894 in village Shilru, Tehsil Arki, District Solan the area against khasra No. 134/1 may be read as 0-7 bighas instead of 0-17 bighas.

Sd—  
Deputy Secretary.

Simla-2, the 17th August, 1979

No. 1-80 72-PW 'A'.—Please substitute para 1 of this Department notification of even number, dated the 26th July, 1979 as under:—

The Governor of Himachal Pradesh, on the recommendations of the Departmental Promotion Committee and with the approval of the Himachal Pradesh Public Service Commission, is pleased to promote Shri R. C. Sharma, Assistant Engineer (Mechanical), Himachal Pradesh Public Works Department, to the post of Executive Engineer (Mechanical), Himachal Pradesh Public Works Department, on officiating basis in the pay scale of Rs. 800-50-1300/50-1600 from the date of taking over the charge of the post.

By order,  
B. C. NEGI,  
Commissioner-cum-Secretary.

#### REVENUE DEPARTMENT (PONG CELL)

#### NOTIFICATIONS

Simla-171002, the 18th July, 1979

No. 4-4 75-Rev.-Cell.—In exercise of the powers vested in him under section 3 (c) of the Land Acquisition

Act, 1894 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to empower, Shri P. N. Sharma, Land Acquisition Officer, Beas Project, Talwara to perform the functions of the Land Acquisition Collector within the jurisdiction of District Kangra under the said Act for the work relating to Beas Dam Project from the date he took over the charge.

Simla-171002, the 18th July, 1979

No. 4-4/75-Rev. Cell.—In exercise of the powers vested in him under section 3(c) of the Land Acquisition Act, 1894, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to empower Shri Chherring Ram, Land Acquisition Collector, Beas Sutlej Link Project, Mandi to perform the functions of the Land Acquisition Collector, for acquisition of land pertaining to Beas Sutlej Link Project works 400 kv. Dehar-Panipat Line Towers etc. in Mandi, Bilaspur and Solan districts as well as for acquisition of land under 220 kv. s/c Ganguwal-Chandigarh line Towers falling in Solan district, for the purpose of the said Act, within the limits of Mandi, Bilaspur and Solan districts in addition to his own duties from the date he took over the charge.

By order,  
H. S. DUBEY,  
Secretary.

#### RURAL INTEGRATED DEVELOPMENT DEPARTMENT

#### NOTIFICATION

Simla-2, the 16th July, 1979

No. 5-13/78-CD (CS).—The Governor, Himachal Pradesh, is pleased to nominate the Agriculture Production Commissioner-cum-Secretary, Rural Integrated Development Department, Himachal Pradesh Government as member on the committee, for the purposes of section 35 C C and 35 C C A of Income Tax Act, 1961, read with Rule 6 AA of the Income Tax Rules, in respect of the R.I.D. Department (H.P.) with immediate effect.

ANANG PAL,  
Secretary.

भाग 2—प्रैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिवृत्तनाएं इत्यादि

#### DIRECTORATE OF AGRICULTURE

#### NOTIFICATION

Simla-5, the 16th July, 1979

No. 9-1 76-Agr. III.—In exercise of the powers vested in me vide para 2 of I.26 of H.P.F.R. 1971 (Vol. I) and supplementary rule 196, I hereby declare the Agriculture Information Officer, Simla as head of office and Drawing and Disbursing Officer to countersign the T.A./Medical re-imbursement claims etc., of Class III and IV Government servants in respect of head 305—Agriculture (J) Extension and Farmers Training (J) (vii) Information and publicity under I.A.D.P. (Non-Plan).

I. S. KINGRA,  
Director.

#### OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER SPITI (AT KAZA)

#### NOTIFICATION

Kaza, the 12th July, 1979

No. 1024-25.—Under the Himachal Pradesh Land Development Act, 1973 (No. 14 of 1973) a District Land Development Committee for the execution of Soil Conservation Schemes in Spiti Sub-Division in District

Lahaul and Spiti under the Desert Development Project is hereby constituted as under:—

S. No.	Designation	Remarks
1.	Addl. Deputy Commissioner Spiti ..	Chairman
2.	Assistant Soil Conservation Officer Desert Development Project Spiti ..	Member.
3.	Block Development Officer Spiti ..	Member.
4.	Chairman Panchayat Samiti Spiti ..	Member.
5.	Pradhan Gram Panchayat Tabo ..	Member.

The Assistant Soil Conservation Officer shall act as Secretary of the Committee. Travelling allowances to the non-official members for attending the meetings of the Committee shall be paid by the Project in accordance with the rules provided under the said Act.

J. P. NEGI,  
Additional Deputy Commissioner Spiti at Kaza.

#### CONSOLIDATION OF HOLDINGS DEPARTMENT NOTIFICATION

Simla-2, the 31st July, 1979

No. Peshi (50 Hamirpur) 14(1).—In the interest of general public and for the purpose of better cultivation of land, I, B.R. Lakhnpal, Director, Consolidation of Holdings, Himachal Pradesh in exercise of the powers

under sub-section (1) and (2) of section 14 of the Himachal Pradesh Holdings (Consolidation and Prevention of Fragmentation) Act, 1971, as delegated to me vide Notification No. 9-1/73-Rev-II, dated the 4th May, 1977, hereby declare the intention of the Himachal Pradesh Government to make the Schemes for Consolidation of Holdings for the undermentioned estates:—

District: HAMIRPUR Tehsil: HAMIRPUR

Sr. No.	Name of Tika	H.B. No.	Total area in acres
1	2	3	4

Name of Village: JANGAL

1.	Thathi-Gudyal	17	249
2.	Bhat Number	-do-	469
3.	Thathi Aloa	-do-	300
4.	Mehas Kual	-do-	470
5.	Sachuhi	-do-	295
6.	Bazar	-do-	907

Name of Village: BERI

7.	Baru	15	155
8.	Chaptehar	-do-	25
9.	Bhatpura	-do-	47
10.	Poi	-do-	45
11.	Chamarara	-do-	272
12.	Balla Berian	-do-	430
13.	Jataur	-do-	221
14.	Indi-di-Dhar	-do-	351
15.	Sukhani	-do-	182
16.	Jandaru	-do-	257

Name of Village: BAGHERA

17.	Triyunda	16	459
18.	Dhar Baghera	-do-	38
19.	Jole	-do-	48
20.	Bir Khas	-do-	84
21.	Puar	-do-	205
22.	Samona	-do-	216
23.	Thana	-do-	230
24.	Plahi	-do-	137
25.	Kachh	-do-	58
26.	Thati	-do-	295
27.	Baghera-Uperla	-do-	139
28.	Baghera-Buhla	-do-	261
29.	Pargna	-do-	38

Name of Village: SUJANPUR

30.	Dhabriana	44	602
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B. R. LAKHANPAL,  
Director.

## FOOD AND SUPPLIES DEPARTMENT

### ORDER

Mandi, the 5th July, 1979

No. 5469-5522.—In exercise of the powers vested in me under rule 2(e) and 9(a) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, Vishva Mitter Malhotra, District Food and Supplies Controller, Mandi district, Mandi do hereby order that the wholesale dealers of Kerosene oil and Diesel maintain that the accounts of Kerosene Oil and Diesel depicting therein opening balances, receipts, total sales and balances at the close of their business every day, a copy of which will be sent to the undersigned daily. This account will be produced by the dealers before the inspecting authorities as and when required and demanded.

These orders shall come into force at once.

V. M. MALHOTRA,  
District Food and Supplies Controller, Mandi.

## NOTIFICATION

Simla-1, the 24th July, 1979

No. 10-27/71-CS/17919-30.—In exercise of the powers conferred on me under clause 10 (a) and (d) of the Wheat Roller Flour Mills (Licensing and Control) Order, 1957 and consequent upon the receipt of instructions from Government of India; Ministry of Agriculture and Irrigation vide their letter No. 9 (39) 78 DR-II, dated 12-6-1979, I, S. K. Sood, I.A.S., Director Civil Supplies, Himachal Pradesh, hereby extend the period upto 31st July, 1979 for the purchase of wheat from open market by the Roller Flour Mills in Himachal Pradesh. Further instruction as already issued under notification No. 10-27/71-CS, dated 9th May, 1979, remain unchanged.

S. K. SOOD,  
Director.

## FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT

Kulu Forest Division, Kulu (H.P.)

### NOTIFICATION

Kulu, the 20th July, 1979

No. 650/700/CF.—In exercise of powers vested in me under clause 18 of Forest Produce Land Transit Rules, published vide Punjab Government Notification No. 3776-Ft. (VI)-65/1782., dated 19th May, 1965, it is notified for the information of all concerned that the New Bhuntar Bridge has been declared as Forest Check Post for the checking and controlling of forest produce within the jurisdiction of Kulu Forest Division in place of forest check post at Old Bhuntar Bridge with immediate effect.

S. K. PANDE,  
Divisional Forest Officer.

## INDUSTRIES DEPARTMENT

### PUBLICATION UNDER SECTION 24 OF THE ACT

Simla-4, the 6th August, 1979

No. DIO/SML/2577.—Whereas a notice was served on Shri Laiq Ram Sharma s/o Shri Mast Ram Sharma, r/o Baleha, P. O. & Tehsil Theog, District Simla (H.P.) on 29-5-1979 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon said Shri Laiq Ram Sharma to pay to me a sum of Rs. 10,000.00 plus interest on or before the 15th June, 1979 and whereas the said sum has not been paid, I hereby declare that said sum of Rs. 10,000.00 plus interest plus penal interest is due from the said Shri Laiq Ram Sharma and the property described in the attached schedule is liable for the satisfaction of the said debt.

### SCHEDULE

Land measuring 0.17 Biswas in Chack Baloha Khata Khatauni No. 30/43 Khasra No. 177, District Simla, Himachal Pradesh and house standing on this Land consisting of 6 rooms double storeyed Khasra No. 177 in Chack Baloha, Tehsil Theog, District Simla, Himachal Pradesh belonging to Shri Laiq Ram s/o Shri Mast Ram Sharma.

Sd/-  
General Manager,  
District Industries Centre.

### NOTICE UNDER SECTION 24

Una, the 19th July, 1979

No. L/DIO/5035-38.—Whereas a notice was served on Shri Som Nath s/o Shri Inder Ram, Village Basdehra, P. O. Basdehra, Tehsil Una District Una (H. P.) on 6-12-1976 under section 23 of the Himachal Pradesh State Aid to Industries, Act. 1971 calling upon the said Shri Som Nath to pay to me the sum of Rs. 455.25 before 20-12-1976 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 1,230 as Pr. 203.52 as interest upto 31-3-1979 with penal interest at the rate of 9½ per cent upto the date of actual deposit, is due from the said Shri Som Nath and that

the property described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

1. All movable and immovable properties of loanee Shri Som Nath.
2. Land measuring 10 Kanals valued Rs. 10,000.00 of surety Shri Rawal Singh s/o Shri Babu Ram V. and P.O. Basadehra, Tehsil and District Una.
3. Agricultural land measuring 10 Kanals valued Rs. 10,000 of surety Shri Jagan Nath s/o Shri Munshi Ram, V. and P.O. Mehatpur.

Sd/-

District Industries Officer, Una.

#### NOTICE UNDER SECTION 24

Una, the 21st July, 1979

No. L DIO 5117. - Whereas a notice was served on Shri Rattna s/o Shri Babu, village Rampur, P.O. Una on 9-11-1976 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Rattna to pay to me the sum of Rs. 2666.67 before 31-11-1976 and whereas the said sum has not been paid I hereby declare that the sum of Rs. 2,066.67 principal and Rs. 515.17 upto 31-3-1969 as interest with penal interest at the rate of 9% upto the date of actual deposit, is due from the said Shri Rattna and that the property described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

All movable and immovable properties belonging to Shri Rattana s/o Shri Babu, village Rampur, P.O. Una, Tehsil and District Una (H.P.).

Sd/-

General Manager,

District Industries Officer. Una.

#### PUBLIC WORKS DEPARTMENT

##### NOTIFICATIONS

Dharamsala, the 19th July, 1979

No. SE/PHCD/W.I./LIS-Natoo/79-19060-63.—Whereas it appears to the Governor of Himachal Pradesh that the land is likely to be required to be taken by the Himachal Pradesh Government at public expenses for a public purpose, namely for the construction of Lift Irrigation Scheme Natoo in Tehsil Palampur, District Kangra, it is hereby notified that the land in the locality described in the specification given below is likely to be acquired for the above purpose.

The notification is made under the provision of section 4 of Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor of Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of said land in the locality may, within thirty days of publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Kangra.

#### SPECIFICATION

District: KANGRA		Tehsil: PALAMPUR
Locality/Mohal	Revenue	Total land to be Acquired in HRC
	1405/1	0-13-25
	1405/2	
Total		0-13-25

Sd/-

Superintending Engineer,  
Irrig-cum-P.H. Circle.

Sundernagar, the 30th July, 1979

No. SE-IPCS-WS-LA-SMR/79-15155-59. - Whereas it appears to the Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Water Supply Scheme Sarkaghat, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Mandi.

#### SPECIFICATION

District: MANDI

Tehsil: SARKAGHAT

Village	Khasra No.	Area H. A. C.
SHIHAL	853/1	0 00 95
	887/1	0 19 26
	891/1	0 02 08
	891/2	0 03 07
	892/2	0 00 65
	893/1	0 00 28
Kita 6		0 26 29

Sd/-

Superintending Engineer,  
Sundernagar.

Mandi, the 2nd August, 1979

No. SEI-R-25-44/WAIV/79.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for Ganpati-ki-Road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Mandi.

#### SPECIFICATION

District: MANDI

Tehsil: SADAR

Village	Khasra No.	Area Sq. Metres.
SAIN 366/1	1497/1	10-25
	1498	14-10
	1499	9-45
	1500	28-81
	1501/1	6-50
	1504/5/1	11-25
	1504/4/1/1	104-95
	Kitta 7	185-31

B. S. KAISY,

Superintending Engineer, 1st Circle,  
Mandi.



Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose\*, it is hereby notified that land in the locality described below is likely to be acquired for the said\* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other Acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition Collector, Himachal Pradesh Public Works Department, Solan.

\* for Kala Amb-Nagal Suketi Road.

No. SE-III-G (R) 61-13/79-16335-38.

Solan, the 27th July, 1979.

#### SPECIFICATION

District: SIRMUR

Tehsil: NAHAN

Village	Khasra No.	Area Big. Bis.
OGLI	85/2	2 5
	180/84/2	0 16
	179/84/2	2 13
	177/84/1	0 1
	Kita 4	5 15

\* for Kalka-Simla Road

No. SE-III-G (R) 61-15/79-16773-76

Solan, the 31st July, 1979

DHARAMPUR BATHAL. 189/169/3 2 14

M. L. BANSAL,  
Superintending Engineer,  
3rd Circle, H.P.P.W.D., Solan.

Simla- 3, the 20th August, 1979

No. SE. IV. 8(B) 76-A/79-13586-89.—In exercise of the powers conferred upon him under section 48(i) of the Land Acquisition Act, 1894, the Governor, Himachal Pradesh is pleased to withdraw from the proceedings launched for the acquisition of land bearing Kh. No. 195 and 195/1 in village S/W Chhota Simla, Tehsil and District Simla which was notified under section 4 of the said Act for the public purpose namely for construction of W/O Head quarter of Deepak Project vide this department notification No. SE. IV. 8(B) 76 A/77-20072-75, dated 30-9-77.

MOHAN LAL,  
Superintending Engineer,  
4th Circle, H.P. P.W.D., Simla- 3.

#### REVENUE DEPARTMENT

#### NOTIFICATION

Palampur, the 29th July, 1979

No. SEV/LA-PLP-28/73.—Whereas it appears to the Governor of Himachal Pradesh that the land is required to be taken by the Government at public expenses for a public purpose namely for construction of Palampur Bir road K.M. 0/0 to 8/0 in Tehsil Palampur, district Kangra, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition, Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra and of the Executive Engineer, Palampur Division No. II Himachal Pradesh Public Works Department, Palampur.

#### SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Mahal	Khasra No.	Area Hac. Are. Ca.
1	2	3 4 5
BIR	830/1	0 00 33
	836/1	0 00 10
	838/1	0 00 62
	839/1	0 00 04
	844/1	0 00 04
	845/1	0 00 36
	865	0 05 25
	874/1	0 00 16
	875/1	0 00 15
	876	0 10 96
	877/1	0 00 07
	878/1	0 00 56
	882/1	0 02 64
	884/1	0 00 15
	885	0 01 90
	886/1	0 00 90
	887	0 14 64
	888/1	0 00 20
	890	0 00 60
	895/1	0 00 20
	907/1	0 00 03
	908/1	0 00 13
	925/1	0 00 06
	1242/1	0 00 15
	1243	0 23 06
	1244/1	0 02 26
	1245/1	0 00 10
	1246/1	0 00 15
	1548/1	0 00 06
	1549/1	0 00 06
	1550/1	0 00 08
	1551/1	0 00 26
	1552	0 39 88
	1556/1	0 01 02
	1577/1	0 00 05
	1578/1	0 00 11
	1553/1	0 00 90
	1579/1	0 00 04
	1625/1	0 00 13
	1626/1	0 00 07
	1627/1	0 00 24
	1628/1	0 00 12
	1629	0 21 37
	1630/1	0 00 39
	1636/1	0 00 16
	1637/1	0 00 36
	1742/1	0 00 50

Kita 47

#### KIORI

1	35	55
321/1	0 00 54	
324/1	0 00 12	
330/1	0 00 39	
335	0 13 35	
336/1	0 03 53	
332/1	0 00 08	
333	0 01 24	
334	0 00 76	
311/1	0 00 09	
310/1	0 01 70	
388/1	0 01 89	

1	2	3	4	5	1	2	3	4	5
271		0	11	51		143/1	0	00	18
298/1		0	00	72		145/1	0	00	25
410/1		0	00	40		146	0	06	00
297/1		0	00	84		147/1	0	01	57
272/1		0	00	22		150/1	0	00	40
266/1		0	00	76		139/1	0	00	14
267		0	03	14		63/1	0	00	12
268/1		0	09	16		65/1	0	07	33
270/1		0	00	49		66/1	0	01	03
418/1		0	00	16		67/1	0	00	12
419/1		0	00	60		68/1	0	00	08
213		0	70	51		69/1	0	00	30
214		0	01	05		71/1	0	00	72
233/1		0	00	50		72/1	0	02	25
216/1		0	00	24		55/1	0	00	48
218/1		0	00	86		100/1	0	00	12
219/1		0	09	12		101/1	0	00	05
212/1		0	05	79		102/1	0	00	56
640/1		0	07	90		103	0	90	72
207/1		0	03	18		108/1	0	00	68
205/1		0	01	08		109/1	0	00	90
205		0	47	03		112/1	0	01	35
208/1		0	05	18		114/1	0	00	14
209/1		0	00	42		115/1	0	00	14
204/1		0	01	06		116/1	0	00	05
188/1		0	05	44		117/1	0	00	48
189/1		0	05	12		118/1	0	00	31
179		0	00	35		119/1	0	00	37
180/1		0	00	16		120/1	0	00	56
181		0	01	92		121/1	0	00	07
182/1		0	00	80		122/1	0	00	60
191/1		0	00	04		123/1	0	00	05
178/1		0	00	24		104/1	0	11	31
177/1		0	00	70		54/1	0	01	68
171		0	03	59		53/1	0	00	24
172/1		0	01	41		52/1	0	05	06
173/1		0	00	14		51	0	34	02
175/1		0	00	64		50/1	0	02	16
176		0	12	38		49/1	0	04	94
845/1		0	00	54		48/1	0	02	94
847/1		0	00	30		47	0	01	60
148		0	39	90		45/1	0	00	36
149/1		0	08	45					
150/1		0	00	07	Kita	108	4	34	85
154/1		0	00	05					
155/1		0	00	34	BHARAG	287/1	0	19	70
160/1		0	00	18		289/1	0	17	75
168/1		0	02	05					
169		0	15	55	Kita	2	0	37	45
170		0	02	44					
846/1		0	06	78	Grand Total	..	6	07	85
127/1		0	00	38					
140/1		0	02	26					
141		0	13	37					
142/1		0	00	25					

Sd/-  
Superintending Engineer,  
5th Circle,  
H.P. P.W.D., Palampur.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फार्डिनशाल कमिशनर तथा कमिशनर आफ इन्ड्रम टेक्स द्वारा अधिसूचित आदेश इत्यादि

कार्य विभाग

अनुसूचना

दिनांक-171002, 16 अगस्त, 1979

सद्व्यवस्थापक (नि-1)-शे(15)-2/79.—भारत के संविधान के अनुच्छेद 309 के परन्तुक में प्रदत्त शक्तियों तथा इस सम्बन्ध में अन्य सभी शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश प्रशासनिक सेवा नियमावली, 1973 में संशोधन हेतु निम्नलिखित नियम महर्प बनते हैं:—

2. यह नियमावली हिमाचल प्रदेश प्रशासनिक सेवा (तीनरा संशोधन) नियमावली, 1979 कक्षा में।

3. यह नियमावली इन अधिसूचना के जारी होने की तारीख से लागू समझा जायेगी।

4. हिमाचल प्रदेश प्रशासनिक सेवा नियमावली, 1973 के नियम 6 के तहत परन्तुक को निम्नलिखित प्रावधान से प्रतिस्थापित किया जायेगा:—

“Provided further that appoints to this service shall be subject to such rules, instructions or orders regarding reservations in the service for persons belonging to Scheduled Castes or Scheduled Tribes or for certain other classes of citizens as maybe adopted or issued by the Himachal Pradesh Government from time to time.”

5. हिमाचल प्रदेश प्रशासनिक सेवा नियमावली, 1973 के नियम 9 (2) (4) (बी) को निम्नलिखित प्रावधान से प्रतिस्थापित किया जायेगा:—

"In case of Officers who have had held on an officiating or substantive basis, more than one post included in Rule 7 (1) (c) (including the proviso) of the main Rules, the date of appointment in the lowest of such category/post shall be taken into account for determining seniority within the department according to sub-rule (c) of rule 9 (2) (iv) irrespective of the fact whether the officer has/has not his/her lien in such post/category.

एन० १३० नोटिफिकेशन,  
सुदय मलिक।

## EXCISE AND TAXATION DEPARTMENT NOTIFICATIONS

*Simla-3, the 16th July, 1979*

**No. 1-8/66-EXN-10150.**—In exercise of the powers vested in me under rule 1.20 read with rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, I hereby declare Shri Sukhdev Singh, Assistant Excise and Taxation Officer, Solan as head of office and Drawing and Disbursing Officer in respect of Class III and Class IV employees of this department posted in Solan district in place of Shri Sudama Ram Jhingia, A.E.T.O., Solan with immediate effect till further orders under the following heads of Accounts:—

### 1. A. GENERAL SERVICE:

(iii) Collection of Commodities and Services.

245—Other Taxes and Duties on Commodities and Services.

(A) Collection Charges—Tax on Goods and Passengers.

(i) Expenditure on district Establishment.

### 2. A. GENERAL SERVICES:

239—State Excise.

Direction and Administration Expenditure on District Establishment.

### 3. A. GENERAL SERVICES:

240—Sales Tax.

Collection Charges on Sales Tax.

Expenditure on District Establishment.

The aforesaid Officer will also function as controlling Officer for T.A. and D.A. and other Contingencies in respect of Class III and Class IV employees of his office.

*Simla-3, the 16th July, 1979*

**No. 1-8/66-EXN-10154.** In exercise of the powers vested in me under rule 1.20 read with rule 1.26 of the Himachal Pradesh Financial Rules, 1971 Vol. I, I hereby declare Shri Baldev Singh D.E.T.C. (South Zone) Simla as head of office and Drawing and Disbursing Officer in respect of Class III and Class IV employees and as drawing and disbursing officer in respect of gazetted Class I employees of this department posted in his office at Simla in place of Shri Shakli Singh Chandel, A.E.T.C. Himachal Pradesh, Simla with immediate effect till further orders under the following heads of Accounts:—

### 1. A. GENERAL SERVICES:

(iii) Collection of Commodities and Services.

245—Other Taxes and Duties on Commodities and Services.

(A) Collection Charges—Tax on Goods and Passengers.

(i) Expenditure on District Establishment.

### 2. A. GENERAL SERVICES:

239—State Excise.

Direction and Administration.

Expenditure on District Establishment.

### 3. A. GENERAL SERVICES:

240—Sales Tax

Collection Charges on Sales Tax.

Expenditure on District Establishment.

The aforesaid officer will also function as Controlling Officer for T.A. and D.A. and other Contingencies in respect of Class III and Class IV employees of his office.

DEV SWARUP,  
Excise and Taxation Commissioner.

भाग 4—स्थायनी स्वायत्त शासन: म्युनिसिपल बोर्ड डिस्ट्रिक्ट बोर्ड, नोटिफाईड और टाउन एरिया तथा  
पंचायती राज विभाग  
शुण्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

IN THE COURT OF DISTRICT JUDGE KANGRA AT  
DHARAMSALA

CASE NO. 10/79 HM CASE

Mohinder Singh Versus Smt. Raj Kumari

Versus:—Smt. Raj Kumari d/o Shri Sohan Singh, r/o Noor Mahal Mandi, Noor Mahal, Jullundur. (Pb.)

Whereas in the above noted case notices to the above named respondent were issued several times but she is evading the service or has concealed herself. Now it has been proved to the satisfaction of this court that the above named respondent cannot be served through an ordinary way. Hence this proclamation under order 5, rule 20 C.P.C. is issued against her that she should appear in this court on or before 10.9.79 at 10 A.M. personally or through an authorised agent or pleader, failing which *ex parte* proceeding will be taken against her.

Given under my hand and the seal of the court this 6th day of August, 1979.

Seal.

Sd/-  
District Judge,  
Kangra at Dharamsala.

In the Court of Mrs. Kiran Agarwal, Senior Sub-Judge  
Bilaspur

1. Shrimati Sundri Devi wd/o Ranjit Singh, s/o Gopi Ram Rajput, r/o village Bari-Moagherwin, Pargna Tiun, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh.

2. Samarvir Singh. 3. Karan Vir Singh and 4. Param Vir Singh sons of Shri Ranjit Singh, r/o Bari-Moagherwin, Pargna Tiun, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh. Petitioners.

Versus

General Public

.. Respondent.

Application U/S 372 of Indian Succession Act

To

The General Public

.. Respondents.

Whereas the petitioners above named have applied in this court for the grant of Succession Certificate in respect of Savings Bank Account No. 1703 standing in State Bank of India, Bilaspur for Rs. 6281/- with interest thereon till realisation of the amount.

Notice is hereby given to the general public that if any body has any objection to the issuance of succession certificate mentioned above can file those on or

before 24-9-1979 failing which the petition will be heard and decided *ex parte*.

Given under my hand and seal of the court this 18th day of August, 1979.

Seal. **KIRAN AGARWAL,**  
Senior Sub-Judge,  
Bilaspur.

In the Court of Shri Surjit Singh, Senior Sub-Judge  
Chamba, District Chamba, Himachal Pradesh

SUCCESSION CERTIFICATE APPL. No. 2 OF 1978

Mohani son of Surat, r/o village Dehga Pargana Rajnagar, Tehsil and District Chamba, H.P. Applicant.

*Versus*

General Public Respondent.

Petition for grant of Succession Certificate.

WHEREAS in the above cited case the petitioner has moved an application for the grant of Succession Certificate in respect of the Estate of Shri Budhia Ram, village Dehga, Pargana Rajnagar, Tehsil and District Chamba.

Notice is therefore hereby given to the General Public and the relatives of the deceased that if any body has got any objection to the grant of the Succession Certificate in favour of the petitioner he may file the same in this court on or before 19th September, 1979, otherwise the petition will be heard *ex parte*.

Given under my hand and the seal of the court this 13th day of August, 1979.

Seal. **SURJIT SINGH,**  
Senior Sub-Judge,  
District Chamba, H.P.

In the Court of Shri Janeshwar Goyal, Senior Sub-Judge,  
Una, District Una

C.M.A. No. 129 OF 1978

Chhajju Ram Vs. Amritsaria etc.

*Vs.*—1. Amritsaria alias Amrit Kumar, s/o 2. Ishwari Devi, 3. Raj Karni, 4. Agia Devi ds/o Milkhi Ram, 5. Shankar Dass s/o Hira Nand, 6. Kishan Dutt, 7. Ram Kishan ss/o Shankar Dass, 8. Mansha Devi, 9. Sita Devi ds/o Shankar Dass, 10. Gurdevi wd/o Rikhi Ram, 11. Jagat Ram, 12. Dwarka Dass, 13. Kamal Kishore ss/o Rikhi Ram, 14. Bishambar Devi, 15. Sarwani Devi, 16. Satya Devi ds/o Rikhi Ram, Caste Brahman, r/o Dhamandri Teh. & District, Una H. P. Defendants.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above noted defendants are evading the service of summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against them to appear in this court on 8-10-1979 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which *ex parte* proceedings will be taken against them.

Given under my hand and the seal of the court this 16th day of August, 1979.

Seal. **JANESHWAR GOYAL,**  
Senior Sub-Judge,  
District Una.

In the Court of Shri Janeshwar Goel, Senior Sub-Judge  
Una District Una, (H. P.)

CASE No. 69 OF 77

बान कृष्ण Vs. श्रीमति मन्त्राल कुमारी इत्यादि।

बनाम: वेद प्रकाश s/o जगदीश राम, r/o गगरेड, तहसील ग्रम्ह,  
जिला ऊना।

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above noted defendant is evading the service of summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against him to appear in this court on 10-10-1979 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which *ex parte* proceeding will be taken against him.

Given under my hand and the seal of the court this, 9th day of August, 1979.

Seal. **JANESHWAR GOEL,**  
Senior Sub-Judge,  
District Una.

In the Court of Shri Janeshwar Goyal Senior Sub-Judge,  
Una, District, Una

CIVIL SUIT No. 101/78 278 of 1979

Ram Lal Versus Lachhmi Devi etc.

*Versus.*—Teloo Ram s/o Sahib Ram, Caste Brahman r/o Ghambirpur at present Employee Naya Nangal, Q. No. 347, Sector No. 2, Naya Nangal, District Ropur (Punjab) Defendant.

Whereas in the above noted case, it has been proved to the satisfaction of this Court that the above noted defendant is evading the service of summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against him to appear in this Court on 6-9-1979 at 10 A. M. personally or through an authorised agent or pleader to defend the case failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of the Court this 16th day of August, 1979.

Seal. **JANESHWAR GOYAL,**  
Senior Sub-Judge,  
Una District, Una.

In the Court of Shri Janeshwar Goyal, Senior Sub-Judge,  
Una, District Una

CIVIL SUIT No. 243/76, 573 of 1978

Shankar Dass Versus Des Raj and others.

*Versus.*—SMT. Kanta Devi d/o 2. Ranjit Singh 3. Har Kishan Singh ss/o Sher Singh s/o Mangtoo, r/o Village Basoli, Tehsil and District Una Proforma Defendants.

Whereas in the above noted case, it has been proved to the satisfaction of this Court that the above noted defendants are evading the service of summons and cannot be served in the normal course of service. Hence this proclamation is hereby issued against them to appear in this Court on 5-9-1979 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of the Court this 16th day of August, 1979.

Seal. **JANESHWAR GOYAL,**  
Senior Sub-Judge,  
Una, District Una.

**PROCLAMATION UNDER ORDER 5, RULE 20  
C.P.C.**

**In the Court of Shri Maheshwar Dutt Sharma, Sub-Judge  
1st Class, Nalagarh, District Solan, Himachal Pradesh**

1. Onkar Singh, 2. Gurcharan Singh minor c/o Shrimati Bir Dei plaintiff No. 3 s/o Prema s/o Tulsi, r/o Sakedi Khalsa Pr. Gularwala, 3. Vir Devi, 4. Smt. Partapi, 5. Bhim minor s/o Geetu s/o Tulsi, 6. Smt. Bhundi minor d/o Geetu s/o Tulsi all resident of village Sultani, Pargana Gularwala, Tehsil Nalagarh, District Solan, Himachal Pradesh .. Plaintiff.

*Versus*

1. Melu, 2. Ramesh, 3. Shayam minor s/o Mahantu r/o Androlla Nihla, Pargana Gularwala, Tehsil Nalagarh, 4. Suchha, 5. Dhian Singh, 6. Kuldeep, 7. Jassu minors of Smt. Ram Rakhi defendants No. 8, 8. Smt. Ram Rakhi wd/o Mahantu s/o Ridaku r/o Androlla, Pargana Gularwala, Tehsil Nalagarh, District Solan, Himachal Pradesh .. Defendants.

To

Shri Shayam minor through Shrimati Ram Rakhi defendant No. 8, resident of village Androlla Nihla, Pargana Gularwala, Tehsil Nalagarh, District Solan, Himachal Pradesh.

Whereas in the above noted case it has been proved to the satisfaction of this Court that the above named defendant Shayam minor through Smt. Ram Rakhi wd/o Mahantu resident of village Androlla Nihla, Pargana Gularwala, Tehsil Nalagarh, District Solan, Himachal Pradesh cannot be served by ordinary process as the summons issued to the defendant have been received as un-served.

Hence, a proclamation order 5, rule 20, C.P.C. is hereby issued against the above named defendant to appear in this Court on 6-9-1979 at 10 A.M. personally or through advocate otherwise *ex parte* proceedings shall be taken against the defendant.

Given under my hand and the seal of the Court this 22nd day of August, 1979.

Seal. **MAHESHWAR DUTT SHARMA,**  
*Sub-Judge,*  
1st Class, Nalagarh, District Solan.

**BEFORE THE DISTRICT CO-OPERATIVE & SUPPLIES OFFICER, HAMIRPUR, (H. P.) ARBITRATOR**

In the matter of arbitration under section 72 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969) for the settlement of dispute for Rs. 1114.49 Pl. Rs. 24.88 Intt., Rs. 278-62 Costs, Rs. 1417.99 Total.

1. The Chamba District Co-op. M & S Federation Ltd., Chamba (H. P.) .. Plaintiff.

*Versus*

1. Shri Khem Singh s/o Shri Tej Singh, Sheep Contractor, Village Khajjan, P.O. Nurpur, Tehsil Nurpur, District Kangra (H. P.) .. Defendant.

Whereas Shri Khem Singh s/o Shri Tej Singh defendant has been evading the service of notice issued to him and it has proved to the satisfaction of this court that service through ordinary course is not possible to him. Therefore, this notice is published in the Himachal Pradesh Rajpatra for the information of the parties.

Shri Khem Singh s/o Shri Tej Singh defendant is hereby summoned to come present in the office of the D. C. & S.O. Chamba on 25-9-79 at 11 A.M. to defend his case, failing which the case will be heard *ex-parte*.

Given under my hand and the seal of this court on 13th August, 1979.

**NARINDER SINGH,**  
*Arbitrator.*

**BEFORE THE DISTRICT CO-OPERATIVE & SUPPLIES OFFICER HAMIRPUR (H.P.) ARBITRATOR**

In the matter of arbitration under section 72 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969) for the settlement of dispute for Rs. 2494-14 Pl. Rs. 55-69 Intt. Rs. 623-53 costs, Rs. 3173.36 Total.

The Chamba District Co-op. M&S Federation Ltd., Chamba, H.P. .. Plaintiff.

*Versus*

1. Shri Kalyan Singh s/o Shri Lal Singh, V. Thundru, Tehsil Pangi, District Chamba .. Defendant.

Whereas Shri Kalyan Singh s/o Shri Lal Singh defendant has been evading the service of notice issued to him and it has proved to the satisfaction of this court that service through ordinary course is not possible to him. Therefore, this notice is published in the Himachal Pradesh Rajpatra for the information of the parties.

Shri Kalyan Singh s/o Shri Lal Singh defendant is hereby summoned to come present in the office of the District Co-operative and Supplies Officer, Chamba on 25-9-79 at 11 A.M. to defend his case failing which the case will be heard *ex-parte*.

Given under my hand and the seal of this court on 13th August, 1979.

**NARINDER SINGH,**  
*Arbitrator.*

**BEFORE THE DISTRICT CO-OPERATIVE & SUPPLIES OFFICER HAMIRPUR (H. P.) ARBITRATOR**

In the matter of arbitration under section 72 of the H.P. Co-operative Societies Act 1968 (Act No. 3 of 1969) for the settlement of dispute for Rs. 1634 55 Pl., 36-51 Intt., 408-63 costs, total Rs. 2079.69.

1. The Chamba District Co-op. M & S Federation Ltd., Chamba (H. P.) .. Plaintiff.

*Versus*

1. Shri Gunjara Ram s/o Shri Mangli Ram, village Bhutal, P. O. Tundi, Tehsil Bhattiyat, District Chamba (H. P.) .. Defendant.

Whereas Shri Gunjara Ram s/o Shri Mangli Ram defendant was served with a notice under registered cover to represent his case before this court in person, but the registered notice has been received undelivered and now it has been proved to the satisfaction of this court that the defendant is evading the service of the notice and service through ordinary course cannot be made. Therefore, this notice is published in the Himachal Pradesh Rajpatra for information of the parties.

Shri Gunjara Ram s/o Mangli Ram (Defendant) is hereby summoned to come present in the office of the District Co-op. and Supplies Officer, Chamba on 25-9-79 at 11 A.M. to defend his case, failing which the case will be heard *ex-parte*.

Given under my hand and the seal of this court on 13th August, 1979.

**NARINDER SINGH,**  
*Arbitrator.*

ब अदालत सत प्रकाश, नायब-तहसीलदार ब ब्रह्मचरारत सहायक  
समाहर्षी द्वितीय थ्रेणी, बड़सर जिला हमीरपुर

कम्पू वनाम सुन्दर वगैरा ।

उपनाम: दरखास्त दस्तुती इन्नाज कागजात मालनिबन्धन भराही  
सुन्दर बीजात नं 0 41 मिन सतीनी नं 0 114 मिन सतीनी

नं० 611 रकबा 0 क० 10 म० जहाँ न्यायपालिका अनुसार  
न्यायपालिका 1976-77 टीका तय्यार तथा डटवाल,  
तहसील बड़सर, जिला हमीरपुर।

नोटिस प्रकाश:—श्री सुन्दर, निवासी मुमुक्षु बाबू, बाबू राम बहाल  
राम, निवासी राम, प्रेम चन्द साकनान टीका तय्यार, तथा  
डटवाल, तहसील बड़सर, जिला हमीरपुर। मसूलफलहम

यमुकदमा उपरोक्त उनवान वाला में श्री सुन्दर आदि को कई  
बार समन जारी किये गये मगर वह हाजिर नहीं हो रहे हैं। अतः  
अब उन्हें बजरिया इस्तहार राजपत्र सूचित किया जाता है कि वह  
बराये पैंरवी दरखास्त असावनन या कालानन हमारे न्यायालय हुआ  
में निधि 14-9-79 को मुबह 10 बजे हाजिर भावें अन्यथा  
कार्यवाही एक तरफा अमल में लाई जायेगी।

आज्ञ दिनांक 13-8-79 को दस्तखत व मोहर हमारे अदालत  
में जारी किया गया।

मोहर।

सत प्रकाश,  
सहायक समाहर्ता, द्वितीय, श्रेणी,  
बड़सर।

व अदालत सत प्रकाश, नायब-तहसीलदार व अन्तरायारात सहायक  
समाहर्ता द्वितीय श्रेणी बड़सर, जिला हमीरपुर

कर्म बनाम राम देई बरौर।

उनवान:—दरखास्त बमराद दहली डटवाल कागजात माल निमबत  
अराजी मुन्दरौ छाता न० 61 मिन खतीनी न० 136  
मिन खसरा न० 640 रकबा 5 क 12 म० जहाँ 0.39  
इनामान अनुसार जमावन्दी 1976-77 वाक्या टीका  
तय्यार, मोना डटवाल तहसील बड़सर, जिला हमीरपुर।

नोटिस बनाम—श्रीमती रा. देई बेवा पांहेरी, कृपा, आलिया  
पुत्र गोपी टीका वाड़ा तथा डटवाल, तहसील बड़सर,  
जिला हमीरपुर मसूलफलहम।

यमुकदमा उपरोक्त उनवान वाला में श्रीमती रामदेई आदि को  
कई बार समन जारी किये गये मगर वह हाजिर नहीं हो रहे हैं।  
अतः अब उन्हें बजरिया इस्तहार राजपत्र सूचित किया जाता है कि  
वह बराये पैंरवी दरखास्त असावनन या कालानन हमारे न्यायालय  
हुआ में निधि 14-9-79 को मुबह 10 बजे हाजिर भावें अन्यथा  
कार्यवाही एक तरफा अमल में लाई जायेगी।

वह बराये पैंरवी दरखास्त असावनन या कालानन हमारे न्यायालय  
हुआ में निधि 14-9-79 को मुबह 10 बजे हाजिर भावें अन्यथा  
कार्यवाही एक तरफा अमल में लाई जायेगी।

आज्ञ दिनांक 13-8-79 को दस्तखत व मोहर हमारे अदालत में  
जारी किया गया।

मोहर।

सत प्रकाश,  
सहायक समाहर्ता द्वितीय श्रेणी,  
बड़सर।

व अदालत सत प्रकाश, नायब-तहसीलदार, व अन्तरायारात  
सहायक समाहर्ता द्वितीय श्रेणी बड़सर जिला हमीरपुर

कर्म बनाम राम निवृ. बरौर।

उनवान:—दरखास्त दहली इनाम कागजात माल खाता न०  
63 मिन खतीनी न० 138 मिन खसरा न० 636  
रकबा बरौर 3 क. 2 म. जहाँ 0.05 पै०  
इनामान अनुसार जमावन्दी 1976-77 टीका  
तय्यार, तथा डटवाल।

नोटिस बनाम:—राम सिंह पुत्र बरड़ श्रीमती बन्नी मुक्ती नारद  
टीका तय्यार तथा डटवाल, तहसील बड़सर, जिला  
हमीरपुर। मसूलफलहम

यमुकदमा उपरोक्त उनवान वाला में श्री राम सिंह आदि को  
कई बार समन जारी किये गये मगर वह हाजिर नहीं हो रहे हैं।  
अतः अब उन्हें बजरिया इस्तहार राजपत्र सूचित किया जाता है कि  
वह बराये पैंरवी दरखास्त असावनन या कालानन हमारे न्यायालय  
हुआ में निधि 14-9-79 को मुबह 10 बजे हाजिर भावें अन्यथा  
कार्यवाही एक तरफा अमल में लाई जायेगी।

आज्ञ दिनांक 13-8-79 को दस्तखत व मोहर हमारे अदालत में  
जारी किया गया।

मोहर।

सत प्रकाश,  
सहायक समाहर्ता,  
द्वितीय श्रेणी, बड़सर।

## भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

### LAW DEPARTMENT

### NOTIFICATION

Simla-171002, the 5th July, 1979

No. LLR-E (9) 10/79.—The following Acts recently  
passed by the Parliament which have already been pub-  
lished in the Gazette of India, Extra-ordinary, Part-II,  
Section 1, are hereby republished in the Rajpatra, Hima-  
chal Pradesh, for the information of the general public:—

1. The Coconut Development Board Act, 1979 (Act No. 5 of 1979).
2. The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1979 (Act No. 6 of 1979);
3. The Appropriation (No. 3) Act, 1979 (Act No. 19 of 1979).
4. The Merchant Shipping (Amendment) Act, 1979 (Act No. 20 of 1979).
5. The Finance Act, 1979 (Act No. 21 of 1979).
6. The Special Courts Act, 1979 (Act No. 22 of 1979).

G. S. CHAUHAN,  
Under Secretary.

Assented to on 17-3-1979.

### THE COCONUT DEVELOPMENT BOARD ACT, 1979

(ACT No. 5 OF 1979)

AN

### ACT

to provide for the development under the control of the  
Union of the coconut industry and for matters connected  
therewith.

Be it enacted by Parliament in the Thirtieth Year of  
the Republic of India as follows:—

### CHAPTER I

### PRELIMINARY

1. Short title, extent and commencement.—(1) This  
Act may be called the Coconut Development Board  
Act, 1979.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Declaration as to expediency of control by the Union.*—It is hereby declared that it is expedient in the public interest that the Union should take under its control the coconut industry.

3. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "Board" means the Coconut Development Board established under section 4;

(b) "Chairman" means the Chairman of the Board;

(c) "coconut" means the fruit of coconut palm and includes green coconut, ripe coconut and copra.

*Explanation.*—"Coconut palm" means the coconut tree, *Cocos Nucifera* Linn;

(d) "coconut industry" does not include—

(i) coir industry; or

(ii) an industry from which products (including by-products) out of coconut oil are manufactured;

(e) "member" means a member of the Board and includes the Chairman;

(f) "prescribed" means prescribed by rules made under this Act.

## CHAPTER II

### THE COCONUT DEVELOPMENT BOARD

4. *Establishment and constitution of the Board.*—(1) With effect from such date as the Central Government may, by notification in the Official Gazette appoint in this behalf, there shall be established for the purposes of this Act, a Board to be called the Coconut Development Board.

(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The head office of the Board shall be at such place as the Central Government may, by notification in the Official Gazette, specify.

(4) The Board shall consist of the following members, namely:—

(a) a Chairman, to be appointed by the Central Government;

(b) the Agriculture Commissioner to the Government of India, *ex-officio*;

(c) the Director, Central Plantation Crops Research Institute (Indian Council of Agricultural Research), *ex-officio*;

(d) the Chairman of the Coir Board constituted under section 4 of the Coir Industry Act, 1953, *ex-officio*;

(e) three members of Parliament of whom two shall be elected by the House of the People and one by the Council of States;

(f) two members to be appointed by the Central Government to represent respectively the Ministries of the Central Government dealing with—

(i) Revenue, and

(ii) Civil Supplies and Co-operation;

(g) three members to be appointed by the Central Government one each to represent the Governments of the States of Kerala, Tamil Nadu and Karnataka, being States wherein coconut is grown on a large scale;

(h) five members to be appointed by the Central Government by rotation in the alphabetical order to represent the States of Andhra Pradesh, Assam, Maharashtra, Orissa and West Bengal and the Union territories of the Andaman and Nicobar Islands, Goa, Daman and Diu, Lakshadweep and Pondicherry;

(i) four members to be appointed by the Central Government two to represent the coconut growers of the State of Kerala and one each to represent the coconut growers of the States of Tamil Nadu and Karnataka;

(j) one member to be appointed by the Central Government to represent the coconut processing industry;

(k) two members to be appointed by the Central Government to represent such other interests, connected with the coconut industry as, in the opinion of that Government, ought to be represented;

Provided that every appointment under clause (g) and (h) shall be made on the recommendation of the State Government or, as the case may be, of the Union territory concerned.

(2) The Board shall elect, from amongst its members, a Vice-Chairman who shall exercise such of the powers and perform such of the functions of the Chairman as may be prescribed or as may be delegated to him by the Chairman.

(6) The term of office of the members and the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by, the members shall be such as may be prescribed.

(7) Any officer of the Central Government, not being a member of the Board, when deputed by that Government in this behalf, shall have the right to attend the meetings of the Board and take part in the proceedings thereof but shall not be entitled to vote.

(8) The Board may associate with itself in such manner, subject to such conditions and for such purposes as may be prescribed, any person whose assistance or advice it may desire in complying with any of the provisions of this Act and a person so associated shall have the right to take part in the discussions of the Board relevant to the purposes for which he has been associated but shall not have the right to vote and shall be entitled to receive such allowances or fees as may be fixed by the Central Government.

(9) No act or proceeding of the Board or any committee appointed by it under section 9 shall be invalidated merely by reason of—

(a) Any vacancy in, or any defecting the constitution of, the Board or such committee; or

(b) any defect in the appointment of a person acting as a member of the Board or such committee; or

(c) any irregularity in the procedure of the Board or such committee not affecting the merits of the case.

(10) The Board shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at meetings) as may be provided by regulations made by the Board under this Act.

5. *Salary and allowances and other conditions of service of chairman and allowances of members.*—(1) The Chairman shall be entitled to such salary and allowances and shall be subject to such conditions of service in respect of leave, pension, provident fund and other matters as may, from time to time, be fixed by the Central Government.

(2) The members of the Board shall receive such allowances as may be fixed by the Central Government.

6. *Resignation of members.*—A member, other than an *ex-officio* member, may resign his office by giving notice thereof in writing to the Central Government and on such resignation being accepted, he shall be deemed to have vacated his office.

7. *Officers of the Board and other staff.*—(1) The Chairman shall be the chief executive of the Board and shall exercise such powers and perform such duties as may be prescribed.

(2) The Central Government shall appoint a Chief Coconut Development Officer to exercise such powers and perform such duties as may be prescribed or as may be delegated to him by the Chairman.

(3) The Chief Coconut Development Officer appointed under sub-section (2) shall have the right to attend the meetings of the Board and its committees appointed under section 9 and take part in the proceedings thereof but shall not be entitled to vote.

(4) The Central Government shall appoint a Secretary to the Board who shall exercise such powers and perform

such duties as may be prescribed or as may be delegated to him by the Board or the Chairman.

(5) The Chief Coconut Development Officer and the Secretary shall be entitled to such salary and allowances and shall be subject to such conditions of service in respect of leave, pension, provident fund and other matters as may, from time to time, be fixed by the Central Government.

(6) Subject to such control and restrictions as may be prescribed, the Board may appoint such other officers and employees as may be necessary for the efficient performance of its functions and the method of appointment, the conditions of service and the scales of pay and allowances of such other officers and employees of the Board shall be such as may be provided by the Board by regulations made under this Act.

(7) The Chairman, the Chief Coconut Development Officer, the Secretary and other officers and employees of the Board shall not undertake any work unconnected with their duties under this Act except with the permission of the Central Government.

8. *Special provision for transfer of employees to the Board.*—(1) On the establishment of the Board, it shall be lawful for the Central Government to transfer to the Board, by order, and with effect from such date or dates as may be specified in the order, any officer or other employee holding office as such in the Directorate of Coconut Development immediately before the date on which the Board is established:

Provided that the scale of pay of the post to which such officer or other employee is transferred shall not be lower than the scale of pay of the post he was holding immediately before such transfer and the other terms and conditions of service (including pension, leave, provident fund and medical benefits) of the post to which he is transferred shall not be less favourable than the terms and conditions of service in relation to the post held by him immediately before such transfer:

Provided further that if, immediately before the date of his transfer, any such officer or other employee is officiating in a higher post under the Central Government either in a leave vacancy or in any vacancy of specified duration, his pay and other allowances, if any, on transfer, shall be protected for the unexpired period of such vacancy and thereafter he shall be entitled to the scale of pay applicable to the post under the Central Government to which he would have reverted.

(2) Before any order is issued under sub-section (1), all officers and other employees of the Directorate of Coconut Development shall be given an option in such form as may be prescribed, and within such time as may be specified in that behalf by the Central Government, to express their willingness or otherwise to become employees of the Board and such option once exercised shall be final:

Provided that no order under sub-section (1) shall be made in relation to any officer or other employee of the Directorate of Coconut Development who has intimated his intention of not becoming an employee of the Board within the time specified in that behalf:

Provided further that such of the persons employed by the Central Government in the said Directorate, who do not express, within the time specified in that behalf, their intention of becoming the employees of the Board, shall be dealt with in the same manner and in accordance with the same rules as would apply to the employees of the Central Government in the event of the reduction of the strength of the Department in which such persons have been employed.

(3) An Officer or other employee transferred by an order made under sub-section (1) shall, on and from the date of transfer, cease to be an employee of the Central Government and become an officer or other employee of the Board with such designation as the Board may determine and shall, subject to the provisions of the first and second provisos to sub-section (1), be governed by the regulations made by the Board under this Act in respect of remuneration and other conditions of service (including pension, leave, provident fund and medical benefits) and shall continue to be an officer or other

employee of the Board unless and until his employment is duly terminated by the Board:

Provided that till such time as the regulations referred to above governing the conditions of service of its officers or other employees are framed by the Board, the relevant rules and orders framed by the Central Government shall continue to be applicable to such officers or other employees.

(4) If a question arises whether the terms and conditions of service prescribed in the regulations framed by the Board in respect of any matter, including remuneration, pension, leave, provident fund and medical benefits, are less favourable than those attached to the post held by an officer or other employee immediately before his transfer to the Board, the decision of the Central Government in the matter shall be final.

9. *Committees of the Board.*—(1) The Board may appoint such committees as may be necessary for the efficient discharge of its duties and performance of its functions under this Act.

(2) The Board shall have the power to co-opt, as members of any committee appointed under sub-section (1) such number of persons who are not members of the Board as it may think fit and the persons so co-opted shall have the right to attend meetings of the committee and take part in its proceedings but shall not have the right to vote.

(3) The persons co-opted as members of a committee under sub-section (2) shall be entitled to receive such allowances or fees for attending meetings of the committee as may be fixed by the Central Government.

10. *Functions of the Board.*—(1) It shall be the duty of the Board to promote, by such measures as it thinks fit, the development under the control of the Central Government of the coconut industry.

(2) Without prejudice to the generality of the provisions of sub-section (1), the measures referred to therein may provide for—

(a) adopting measures for the development of coconut industry so that farmers, particularly small farmers, may become participants in, and beneficiaries of, the development and growth of coconut industry;

(b) recommending measures for improving the marketing of coconut and its products in India;

(c) imparting technical advice to any person who is engaged in the cultivation of coconut or the processing or marketing of coconut and its products;

(d) providing financial or other assistance for the development of high yielding coconut hybrids, adoption of improved methods of cultivation of coconut, modern technology for processing of coconut and extension of areas under coconut cultivation, (including replanting) with a view to improving the growth of coconut industry;

(e) adopting such measures as may be practicable for assisting coconut growers to get incentive prices including recommending, as and when necessary, minimum and maximum prices for coconut and its products;

(f) recommending measures for regulating import and export of coconut and its products;

(g) collecting statistics from growers of coconut, dealers in coconut, manufacturers of coconut products and such other persons and institutions as may be prescribed, on any matter relating to coconut industry and publishing the statistics so collected or portions thereof or extracts therefrom;

(h) fixing grades, specifications and standards for coconut and its products;

(i) financing suitable schemes in consultation with the Central Government and the Governments of the States where coconut is grown on a large scale, so as to increase the production of coconut and to improve its quality and yield; and for this purpose evolving schemes for award of prizes or grant of incentives to growers of coconut and the manufacturers of its products and for providing marketing facilities for coconut and its products;

(j) assisting, encouraging, promoting or financing agricultural, technological, industrial or economic



research on coconut and its products in such manner as the Board may deem fit by making use of available institutions;

- (k) undertaking such publicity and publishing such periodicals, books or bulletins, on the research and development of coconut and its products, as may be found necessary;
- (l) setting up of regional offices and other agencies for the promotion and development of production, grading and marketing of coconut and its products in coconut growing States and Union territories for the efficient discharge of the functions and objectives of the Board;
- (m) such other measures as may, having regard to the purposes of this Act, be prescribed by the Central Government in consultation with the Governments of the States where coconut is grown on a large scale.

(3) The Board shall perform its functions under this section in accordance with, and subject to, such rules as may be made by the Central Government.

**11. Dissolution of the Board.**—(1) The Central Government may, by notification in the Official Gazette, and for reasons to be specified therein, direct that the Board shall be dissolved from such date and for such period as may be specified in the notification:

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Board to make representations against the proposed dissolution and shall consider the representations, if any, of the Board.

(2) When the Board is dissolved under the provisions of sub-section (1),—

- (a) all members, notwithstanding that their term of office has not expired, shall, from the date of dissolution, vacate their offices as such members;
- (b) all powers and duties of the Board shall, during the period of dissolution, be exercised and performed by such person or persons as the Central Government may appoint in this behalf and their remuneration shall be such as may be prescribed;
- (c) all funds and other properties vested in the Board shall, during the period of dissolution, vest in the Central Government; and
- (d) as soon as the period of dissolution expires, the Board shall be reconstituted in accordance with the provisions of this Act.

## CHAPTER III

### FINANCE, ACCOUNTS AND AUDIT

**12. Grants and loans by the Central Government.**—The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Board by way of grants or loans such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

**13. Constitution of Coconut Development Fund.**—(1) There shall be formed a Fund to be called the Coconut Development Fund and there shall be credited thereto—

- (a) any sums of money which the Central Government may, after due appropriation made by Parliament by law in this behalf, provide from and out of the proceeds of cess credited under section 4 of the Copra Cess Act, 1979, after deducting therefrom the expenses of collection of the cess and the amount, if any, refunded;
- (b) any grants or loans granted by the Central Government for the purposes of this Act;
- (c) any grants or loans that may be made by any persons for the purposes of this Act including loans under section 14;
- (d) any grants or donations from State Governments, voluntary organisations or other institutions:

Provided that no such grant, loan or donation shall be credited to the fund except with the prior approval of the Central Government.

(2) The Fund shall be applied—

- (a) for meeting the cost of the measures referred to in section 10;

- (b) for meeting the salaries, allowances and other remuneration of the members, officers and other employees, as the case may be, of the Board;
- (c) for meeting the other administrative expenses of the Board and any other expenses authorised by or under this Act;
- (d) for repayment of any loans.

**14. Borrowing powers of the Board.**—(1) The Board may, for the purposes of carrying out its functions under this Act, and with the previous approval of, and subject to the directions of the Central Government, borrow money from—

- (a) the public by the issue or sale of bonds or debentures or both, carrying interest at such rates as may be specified therein;
- (b) any bank or other institution;
- (c) such other authority, organisation or institution as may be approved by the Central Government in this behalf.

(2) The Central Government may guarantee the repayment of the monies borrowed by the Board under sub-section (1) and the payment of interest thereon and other incidental charges.

**15. Accounts and audit.**—(1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Board shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Board to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Board shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(4) The accounts of the Board as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

## CHAPTER IV

### CONTROL BY CENTRAL GOVERNMENT

**16. Directions by Central Government.**—The Board shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

**17. Returns and reports.**—(1) The Board shall furnish to the Central Government at such time and in such form and manner as may be prescribed or as the Central Government may direct, such returns and statements and such particulars in regard to any proposed or existing programme for the promotion and development of the coconut industry, as the Central Government may, from time to time, require.

(2) The Board shall furnish a programme of its activities for each financial year to the Central Government for their information and directions, if any.

(3) Without prejudice to the provisions of sub-section (1), the Board shall, as soon as possible, after the end of each financial year, submit to the Central Government a report in such form and before such date, as may be prescribed, giving a true and full account of its activities, policy and programmes during the previous financial year.

(4) A copy of the report received under sub-section (3) shall be laid, as soon as may be, after it is received, before each House of Parliament.

## CHAPTER V

## MISCELLANEOUS

18. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Central Government, or the Board or any committee appointed by it, or any member of the Board or such committee, or any officer or other employee of the Central Government or of the Board or any other person authorised by the Central Government or the Board, for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

19. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the powers which may be exercised and functions which may be performed by the Vice-Chairman of the Board under sub-section (5) of section 4;
- (b) the term of office of the members, the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by, the members, under sub-section (6) of section 4;
- (c) the manner in which and the purposes for which any person may be associated by the Board under sub-section (8) of section 4;
- (d) the powers which may be exercised and the duties which may be performed by the Chairman as the chief executive of the Board under sub-section (1) of section 7;
- (e) the powers which may be exercised and the duties which may be performed by the Chief Coconut Development Officer of the Board under sub-section (2) of section 7;
- (f) the powers which may be exercised and the duties which may be performed by the Secretary of the Board under sub-section (4) of section 7;
- (g) the control and restrictions subject to which officers and other employees may be appointed by the Board under sub-section (6) of section 7;
- (h) the form in which option may be given by the officers and other employees of the Directorate of Coconut Development under sub-section (2) of section 8;
- (i) the collection of statistics in respect of any matter relating to coconut industry under clause (g) of sub-section (2) of section 10;
- (j) the matters in respect of which the Board may undertake measures in the discharge of its functions under clause (m) of sub-section (2) of section 10;
- (k) the remuneration and other allowances payable to the person or persons referred to in clause (b) of sub-section (2) of section 11;
- (l) the form in which the accounts of the Board shall be maintained under sub-section (1) of section 15;
- (m) the form and manner in which and the time at which the Board may furnish returns and reports to the Central Government under sub-section (1) of section 17;
- (n) the form in which and the date before which the Board shall furnish to the Central Government the report of its activities and programmes under sub-section (3) of section 17;
- (o) any other matter which has to be, or may be, prescribed by rules under this Act.

20. *Power to make regulations.*—(1) The Board may, with the previous sanction of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely:—

- (a) the times and places at which meetings of the Board or any committee thereof, shall be held and

the procedure to be followed thereat, and the number of members which shall form a quorum at a meeting under sub-section (10) of section 4;

- (b) the method of appointment, the conditions of service and the scales of pay and allowances of any of the officers and other employees of the Board under sub-section (6) of section 7;

- (c) generally, for the efficient conduct of the affairs of the Board.

(3) The Central Government may, by notification in the Official Gazette, modify or rescind any regulation sanctioned by it and the regulation so modified or rescinded shall have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or rescission shall be without prejudice to the validity of anything done under the regulation before its modification or rescission.

21. *Rules and regulations to be laid before Parliament.*—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Assented to on 19-3-1979.

# THE WORKING JOURNALISTS AND OTHER NEWSPAPER EMPLOYEES (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1979

ACT No. 6 OF 1979

AN  
ACT

Further to amend the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

WHEREAS the Wage Board constituted under section 9 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) by the notification of the Government of India in the Ministry of Labour, No. S.O. 809, dated the 6th February, 1976 for fixing and revising rates of wages in respect of working journalists and the Wage Board constituted under section 13C of the said Act by the notification of the Government of India in the Ministry of Labour, No. S.O. 1958, dated the 11th June, 1975 for fixing and revising rates of wages in respect of non-journalist newspaper employees have not been able to function effectively;

AND WHEREAS the consequent delay on the part of the said Boards in making their recommendations to the Central Government has impeded the making of proper provision for securing to working journalists and non-journalist newspaper employees just conditions of work;

AND WHEREAS for dealing with the situations referred to in the foregoing paragraphs and matters arising therefrom it is necessary in the public interest to make alternative arrangements for the purpose of fixing and revising rates of wages in respect of working journalists and in respect of non-journalist newspaper employees under the said Act and thereby securing to them speedily just conditions of work;

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1979.

(2) It shall be deemed to have come into force on the 31st day of January, 1979.

2. *Amendment of section 2.*—In section 2 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) (hereinafter referred to as the principal Act), after clause (e), the following clause shall be inserted, namely:—

“(ee) “Tribunal” means,—

- (i) in relation to working journalists, the Tribunal constituted under section 13AA; and
- (ii) in relation to non-journalist newspaper employees, the Tribunal constituted under section 13DD;”

3. *Insertion of new section 13AA.*—In Chapter II of the principal Act, after section 13A, the following section shall be inserted, namely:—

“13AA. *Constitution of Tribunal for fixing or revising rates of wages in respect of working journalists.*—(1) Notwithstanding anything contained in this Act, where the Central Government is of opinion that the Board constituted under section 9 for the purpose of fixing or revising rates of wages in respect of working journalists under this Act has not been able to function (for any reason whatsoever) effectively, and in the circumstances, it is necessary so to do, it may, by notification in the Official Gazette, constitute a Tribunal, which shall consist of a person who is, or has been, a Judge of a High Court or the Supreme Court, for the purpose of fixing or revising rates of wages in respect of working journalists under this Act.

(2) The provisions of sections 10 to 13A shall apply to, and in relation to, the Tribunal constituted under sub-section (1) of this section, the Central Government and working journalists, subject to the modifications that—

- (a) the references to the Board therein, wherever they occur, shall be construed as references to the Tribunal;
- (b) in sub-section (3) of section 11,—
  - (i) the reference to the office of Chairman or any other member of the Board shall be construed as a reference to the office of the person constituting the Tribunal; and
  - (ii) the reference to section 9 shall be construed as a reference to sub-section (1) of this section; and
- (c) the references in section 13 and section 13A to section 12 shall be construed as references to section 12 read with this section.

(3) The Tribunal, in discharging its functions under this Act, may act on the evidence recorded by the Wage Board or partly recorded by the Wage Board and partly recorded by itself:

Provided that if the Tribunal is of opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may re-summon any such witness, and after such further examination, cross-examination and re-examination, if any, as it may permit, the witness shall be discharged.

(4) On the constitution of a Tribunal under sub-section (1), the Board constituted under section 9 and functioning immediately before such constitution shall cease to exist and the members constituting that Board shall be deemed to have vacated their offices:

Provided that any interim rates of wages fixed by the Central Government under section 13A in respect of working journalists and in force immediately before the constitution of the Tribunal shall remain in force until the order of the Central Government under section 12 read with this section comes into operation.”

4. *Insertion of new section 13DD.*—In Chapter IIA of the principal Act, after section 13D, the following section shall be inserted, namely:—

“13DD. *Constitution of Tribunal for fixing or revising rates of wages in respect of non-journalist newspaper employees.*—(1) Notwithstanding anything contained in this Act, where the Central Government is of opinion that the Board constituted under section 13C for the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act has not been able to function (for any reason whatsoever) effectively, and in the circumstances, it is necessary so to do, it may, by notification in the Official Gazette, constitute a Tribunal, which shall consist of a person who is, or has been, a Judge of a High Court or the Supreme Court, for the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act.

(2) The provisions of sections 10 to 13A shall apply to, and in relation to, the Tribunal constituted under sub-section (1) of this section, the Central Government and non-journalist newspaper employees, subject to the modifications that—

- (a) the references to the Board and working journalists therein, wherever they occur, shall be construed respectively as references to the Tribunal and to non-journalist newspaper employees;
- (b) in sub-section (3) of section 11,—
  - (i) the reference to the office of Chairman or any other member of the Board shall be construed as a reference to the office of the person constituting the Tribunal; and
  - (ii) the reference to section 9 shall be construed as a reference to sub-section (1) of this section; and
- (c) the references in section 13 and section 13A to section 12 shall be construed as references to section 12 read with this section.

(3) The Tribunal, in discharging its functions under this Act, may act on the evidence recorded by the Wage Board or partly recorded by the Wage Board and partly recorded by itself:

Provided that if the Tribunal is of opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may re-summon any such witness, and after such further examination, cross-examination and re-examination, if any, as it may permit, the witness shall be discharged.

(4) On the constitution of a Tribunal under sub-section (1), the Board constituted under section 13C and functioning immediately before such constitution shall cease to exist and the members constituting that Board shall be deemed to have vacated their offices:

Provided that any interim rates of wages fixed by the Central Government under section 13A read with section 13D in respect of non-journalist newspaper employees and in force immediately before the constitution of the Tribunal shall remain in force until the order of the Central Government under section 12 read with this section comes into operation.”

5. *Amendment of section 19.*—In section 19 of the principal Act, after the words “member of the Board”, the words “or the person constituting the Tribunal” shall be inserted.

6. *Amendment of section 20.*—In section 20 of the principal Act, in clause (d) of sub-section (2), after the word "Board", the words "or, as the case may be, the Tribunal," shall be inserted.

7. *Repeal and saving.*—(1) The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Ordinance, 1979 (3 of 1979) is hereby repealed.

(2) Notwithstanding such repeal, Anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Assented to on 3rd May, 1979

## THE APPROPRIATION (NO. 3) ACT, 1979

ACT NO. 19 OF 1979

AN

ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year, 1979-80.

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

### THE SCHEDULE

(See sections 2, 3 and 4)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3	3	
		Rs.	Rs.	Rs.
1	Department of Agriculture .. Revenue	2,52,06,000	10,000	2,52,16,000
2	Agriculture .. Revenue	143,67,66,000		143,67,66,000
	Capital	646,07,95,000	125,15,40,000	771,23,35,000
3	Fisheries .. Revenue	28,81,22,000		28,81,22,000
	Capital	30,83,65,000	22,50,000	31,06,15,000
4	Animal Husbandry and Dairy Development .. Revenue	92,06,17,000	20,000	92,06,37,000
	Capital	23,65,95,000	82,75,000	24,48,70,000
5	Forest .. Revenue	37,41,77,000		37,41,77,000
	Capital	4,73,99,000	6,18,00,000	10,91,99,000
6	Department of Food .. Revenue	572,74,34,000	3,10,000	572,77,44,000
	Capital	47,42,90,000	80,00,000	48,22,90,000
7	Department of Rural Development .. Revenue	359,71,28,000	6,000	359,71,34,000
	Capital	26,34,68,000	6,59,75,000	32,94,43,000
8	Department of Agricultural Research and Education .. Revenue	10,20,000		10,20,000
9	Payments to Indian Council of Agricultural Research .. Revenue	87,80,98,000		87,80,98,000
10	Department of Irrigation .. Revenue	32,75,09,000		32,75,09,000
	Capital	7,62,52,000	23,55,00,000	31,17,52,000
11	Ministry of Commerce, Civil Supplies and Co-operation .. Revenue	1,83,97,000		1,83,97,000
12	Foreign Trade and Export Production .. Revenue	372,72,27,000		372,72,27,000
	Capital	336,02,40,000		336,02,40,000
13	Civil Supplies and Co-operation .. Revenue	21,18,86,000		21,18,86,000
	Capital	26,87,00,000	3,49,00,000	30,36,00,000
14	Ministry of Communications .. Revenue	2,47,70,000		2,47,70,000
	Capital	13,18,00,000		13,18,00,000
15	Overseas Communications Service .. Revenue	13,40,62,000		13,40,62,000
	Capital	10,06,82,000		10,06,82,000
16	Posts and Telegraphs—Working Expenses .. Revenue	700,99,70,000	30,000	701,00,00,000
17	Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues .. Revenue	258,57,78,000		258,57,78,000
18	Capital Outlay on Posts and Telegraphs .. Capital	403,86,16,000		403,86,16,000
19	Ministry of Defence .. Revenue	100,78,78,000		100,78,78,000
	Capital	63,88,90,000	7,44,000	63,96,34,000

1. *Short title.*—This Act may be called the Appropriation (No. 3) Act, 1979.

2. *Issue of Rs. 46804. 61,44,000 out of the Consolidated Fund of India for the year 1979-80.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Vote on Account) Act, 1979 (7 of 1979)] to the sum of forty-six thousand eight hundred and four crores, sixty-one lakhs and forty-four thousand rupees towards defraying the several charges which will come in course of payment during the financial year, 1979-80 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

4. *Construction of references to Ministries and Departments in the Schedule.*—References to Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 19th February, 1979, and shall, on or after that date, be construed as references to the appropriate Ministries or Department as reconstituted from time to time.

1	2	3
20	Defence Services—Army .. Revenue	1895,70,50,000
21	Defence Services—Navy .. Revenue	15,50,000
22	Defence Services—Air Force .. Revenue	1895,86,00,000
23	Defence Services—Pensions .. Revenue	210,38,00,000
24	Capital Outlay on Defence Services .. Capital	661,79,00,000
25	Department of Education .. Revenue	2,00,000
26	Education .. Revenue	176,99,50,000
27	Department of Social Welfare .. Capital	50,000
28	Ministry of Energy .. Revenue	295,45,00,000
29	Power Development .. Revenue	30,00,000
30	Coal and Lignite .. Capital	1,90,89,000
31	Ministry of External Affairs .. Revenue	221,59,53,000
32	Ministry of Finance .. Capital	89,15,000
33	Customs .. Revenue	4,00,00,000
34	Union Excise Duties .. Revenue	53,91,15,000
35	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax .. Revenue	86,36,000
36	Stamps .. Capital	55,49,16,000
37	Audit .. Revenue	381,30,09,000
38	Currency, Coinage and Mint .. Capital	23,73,41,000
39	Pensions .. Revenue	579,36,68,000
40	Opium and Alkaloid Factories .. Revenue	124,99,75,000
41	Transfers to State Governments .. Capital	16,65,13,000
42	CHARGED—Interest Payments .. Revenue	35,04,29,000
43	Other Expenditure of the Ministry of Finance .. Revenue	40,000
44	Loans to Government Servants, etc. .. Capital	1,35,00,000
45	CHARGED—Repayment of Debt .. Capital	38,68,24,000
46	Ministry of Health and Family Welfare .. Revenue	5,10,00,000
47	Medical and Public Health .. Revenue	49,19,37,000
48	Family Welfare .. Capital	2,01,000
49	Ministry of Home Affairs .. Revenue	2,23,000
50	Cabinet .. Capital	50,97,45,000
51	Department of Personnel and Administrative Reforms .. Revenue	18,62,33,000
52	Police .. Capital	1,12,05,000
53	Census .. Revenue	65,20,00,000
54	Other Expenditure of the Ministry of Home Affairs .. Revenue	1,12,10,000
55	Delhi .. Capital	66,32,10,000
56	Chandigarh .. Revenue	40,74,73,000
57	Andaman and Nicobar Islands .. Capital	23,32,28,000
58	Dadra and Nagar Haveli .. Revenue	41,50,00,000
59	Lakshadweep .. Capital	42,07,45,000
60	Ministry of Industry .. Revenue	99,45,000
61	Industries .. Capital	713,23,80,000
62	Village and Small Industries .. Revenue	2653,04,00,000
63	Textiles, Handloom and Handicrafts .. Capital	1881,89,20,000
64	Ministry of Information and Broadcasting .. Revenue	3366,27,80,000
65	Information and Publicity .. Capital	1881,89,20,000
66	Broadcasting .. Revenue	2161,27,27,000
67	CHARGED—Interest Payments .. Revenue	2,37,000
68	Other Expenditure of the Ministry of Finance .. Capital	3,00,00,000
69	Loans to Government Servants, etc. .. Capital	75,58,00,000
70	CHARGED—Repayment of Debt .. Capital	23703,88,81,000
71	Ministry of Health and Family Welfare .. Revenue	23703,88,81,000
72	Medical and Public Health .. Capital	1,00,53,000
73	Family Welfare .. Revenue	210,54,33,000
74	Ministry of Home Affairs .. Capital	71,29,03,000
75	Cabinet .. Revenue	127,53,32,000
76	Department of Personnel and Administrative Reforms .. Capital	1,00,000
77	Police .. Revenue	2,68,67,000
78	Census .. Revenue	1,23,97,000
79	Other Expenditure of the Ministry of Home Affairs .. Capital	8,10,41,000
80	Delhi .. Revenue	5,000
81	Chandigarh .. Capital	1,10,00,000
82	Andaman and Nicobar Islands .. Revenue	231,46,39,000
83	Dadra and Nagar Haveli .. Capital	11,05,86,000
84	Lakshadweep .. Revenue	8,13,14,000
85	Ministry of Industry .. Revenue	191,43,94,000
86	Industries .. Capital	87,89,33,000
87	Village and Small Industries .. Revenue	1,04,09,000
88	Textiles, Handloom and Handicrafts .. Capital	231,47,44,000
89	Ministry of Information and Broadcasting .. Revenue	22,56,86,000
90	Information and Publicity .. Capital	8,13,14,000
91	Broadcasting .. Revenue	279,33,27,000
92	CHARGED—Interest Payments .. Revenue	96,09,55,000
93	Other Expenditure of the Ministry of Finance .. Capital	75,58,00,000
94	Loans to Government Servants, etc. .. Capital	23703,88,81,000
95	CHARGED—Repayment of Debt .. Capital	23703,88,81,000
96	Ministry of Health and Family Welfare .. Revenue	1,00,53,000
97	Medical and Public Health .. Capital	210,54,33,000
98	Family Welfare .. Revenue	71,29,03,000
99	Ministry of Home Affairs .. Capital	127,53,32,000
100	Cabinet .. Revenue	1,00,000
101	Department of Personnel and Administrative Reforms .. Capital	2,68,67,000
102	Police .. Revenue	1,23,97,000
103	Census .. Revenue	8,10,41,000
104	Other Expenditure of the Ministry of Home Affairs .. Capital	5,000
105	Delhi .. Revenue	1,10,00,000
106	Chandigarh .. Capital	231,47,44,000
107	Andaman and Nicobar Islands .. Revenue	22,56,86,000
108	Dadra and Nagar Haveli .. Capital	8,13,14,000
109	Lakshadweep .. Revenue	279,33,27,000
110	Ministry of Industry .. Capital	96,09,55,000
111	Industries .. Revenue	75,58,00,000
112	Village and Small Industries .. Capital	23703,88,81,000
113	Textiles, Handloom and Handicrafts .. Revenue	23703,88,81,000
114	Ministry of Information and Broadcasting .. Capital	1,00,53,000
115	Information and Publicity .. Revenue	210,54,33,000
116	Broadcasting .. Capital	71,29,03,000
117	CHARGED—Interest Payments .. Revenue	127,53,32,000
118	Other Expenditure of the Ministry of Finance .. Capital	1,00,000
119	Loans to Government Servants, etc. .. Capital	2,68,67,000
120	CHARGED—Repayment of Debt .. Capital	1,23,97,000
121	Ministry of Health and Family Welfare .. Revenue	8,10,41,000
122	Medical and Public Health .. Capital	5,000
123	Family Welfare .. Revenue	1,10,00,000
124	Ministry of Home Affairs .. Capital	231,47,44,000
125	Cabinet .. Revenue	22,56,86,000
126	Department of Personnel and Administrative Reforms .. Capital	8,13,14,000
127	Police .. Revenue	279,33,27,000
128	Census .. Capital	96,09,55,000
129	Other Expenditure of the Ministry of Finance .. Revenue	75,58,00,000
130	Loans to Government Servants, etc. .. Capital	23703,88,81,000
131	CHARGED—Repayment of Debt .. Capital	23703,88,81,000
132	Ministry of Health and Family Welfare .. Revenue	1,00,53,000
133	Medical and Public Health .. Capital	210,54,33,000
134	Family Welfare .. Revenue	71,29,03,000
135	Ministry of Home Affairs .. Capital	127,53,32,000
136	Cabinet .. Revenue	1,00,000
137	Department of Personnel and Administrative Reforms .. Capital	2,68,67,000
138	Police .. Revenue	1,23,97,000
139	Census .. Revenue	8,10,41,000
140	Other Expenditure of the Ministry of Home Affairs .. Capital	5,000
141	Delhi .. Revenue	1,10,00,000
142	Chandigarh .. Capital	231,47,44,000
143	Andaman and Nicobar Islands .. Revenue	22,56,86,000
144	Dadra and Nagar Haveli .. Capital	8,13,14,000
145	Lakshadweep .. Revenue	279,33,27,000
146	Ministry of Industry .. Capital	96,09,55,000
147	Industries .. Revenue	75,58,00,000
148	Village and Small Industries .. Capital	23703,88,81,000
149	Textiles, Handloom and Handicrafts .. Revenue	23703,88,81,000
150	Ministry of Information and Broadcasting .. Capital	1,00,53,000
151	Information and Publicity .. Revenue	210,54,33,000
152	Broadcasting .. Capital	71,29,03,000
153	CHARGED—Interest Payments .. Revenue	127,53,32,000
154	Other Expenditure of the Ministry of Finance .. Capital	1,00,000
155	Loans to Government Servants, etc. .. Capital	2,68,67,000
156	CHARGED—Repayment of Debt .. Capital	1,23,97,000
157	Ministry of Health and Family Welfare .. Revenue	8,10,41,000
158	Medical and Public Health .. Capital	5,000
159	Family Welfare .. Revenue	1,10,00,000
160	Ministry of Home Affairs .. Capital	231,47,44,000
161	Cabinet .. Revenue	22,56,86,000
162	Department of Personnel and Administrative Reforms .. Capital	8,13,14,000
163	Police .. Revenue	279,33,27,000
164	Census .. Capital	96,09,55,000
165	Other Expenditure of the Ministry of Finance .. Revenue	75,58,00,000
166	Loans to Government Servants, etc. .. Capital	23703,88,81,000
167	CHARGED—Repayment of Debt .. Capital	23703,88,81,000
168	Ministry of Health and Family Welfare .. Revenue	1,00,53,000
169	Medical and Public Health .. Capital	210,54,33,000
170	Family Welfare .. Revenue	71,29,03,000
171	Ministry of Home Affairs .. Capital	127,53,32,000
172	Cabinet .. Revenue	1,00,000
173	Department of Personnel and Administrative Reforms .. Capital	2,68,67,000
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175	Census .. Revenue	8,10,41,000
176	Other Expenditure of the Ministry of Home Affairs .. Capital	5,000
177	Delhi .. Revenue	1,10,00,000
178	Chandigarh .. Capital	231,47,44,000
179	Andaman and Nicobar Islands .. Revenue	22,56,86,000
180	Dadra and Nagar Haveli .. Capital	8,13,14,000
181	Lakshadweep .. Revenue	279,33,27,000
182	Ministry of Industry .. Capital	96,09,55,000
183	Industries .. Revenue	75,58,00,000
184	Village and Small Industries .. Capital	23703,88,81,000
185	Textiles, Handloom and Handicrafts .. Revenue	23703,88,81,000
186	Ministry of Information and Broadcasting .. Capital	1,00,53,000
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267	Family Welfare .. Revenue	1,10,00,000
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298	Other Expenditure of the Ministry of Finance .. Capital	1,00,000
299	Loans to Government Servants, etc. .. Capital	2,68,67,000
300	CHARGED—Repayment of Debt .. Capital	1,23,97,000
301	Ministry of Health and Family Welfare .. Revenue	8,10,41,000
302	Medical and Public Health .. Capital	5,000
303	Family Welfare .. Revenue	1,10,00,000
304	Ministry of Home Affairs .. Capital	231,47,44,000
305	Cabinet .. Revenue	22,56,86,000
306	Department of Personnel and Administrative Reforms .. Capital	8,13,14,000
307	Police .. Revenue	279,33,27,000
3		

1	2	3
65	Ministry of Labour ..	Revenue 85,00,000 ..
66	Labour and Employment ..	Revenue 83,95,58,000 25,000
		Capital 36,75,000 ..
67	Ministry of Law, Justice and Com- pany Affairs. ..	Revenue 12,78,12,000 ..
		Capital 1,00,000 ..
68	Administration of Justice ..	Revenue 39,27,000 84,77,000
69	Ministry of Petroleum, Chemicals and Fertilizers. ..	Revenue 1,13,31,000 ..
70	Petroleum and Petro-Chemicals Indus- tries. ..	Revenue 141,69,21,000 ..
		Capital 100,11,37,000 ..
71	Chemicals and Fertilizers Industries ..	Revenue 292,93,91,000 ..
		Capital 338,31,59,000 ..
72	Ministry of Planning ..	Revenue 2,41,000 ..
73	Statistics ..	Revenue 15,72,76,000 ..
74	Planning Commission ..	Revenue 6,43,69,000 ..
75	Ministry of Shipping and Transport ..	Revenue 3,13,32,000 10,000
76	Roads ..	Revenue 118,63,91,000 25,000
		Capital 111,35,64,000 11,70,00,000
77	Ports, Lighthouses and Shipping ..	Revenue 65,55,39,000 4,000
		Capital 229,18,70,000 6,12,40,000
78	Road and Inland Water Transport ..	Revenue 1,40,00,000 ..
		Capital 16,38,75,000 2,37,70,000
79	Department of Steel ..	Revenue 14,97,52,000 ..
		Capital 348,40,89,000 14,40,50,000
80	Department of Mines ..	Revenue 39,00,000 ..
81	Mines and Minerals ..	Revenue 51,72,06,000 50,000
		Capital 67,76,93,000 60,00,000
82	Department of Supply ..	Revenue 22,78,000 ..
83	Supplies and Disposals ..	Revenue 7,48,70,000 ..
84	Department of Rehabilitation ..	Revenue 24,80,00,000 1,10,000
		Capital 12,73,90,000 10,51,10,000
85	Ministry of Tourism and Civil Aviation ..	Revenue 54,71,000 ..
86	Meteorology ..	Revenue 20,10,68,000 ..
		Capital 2,96,48,000 ..
87	Aviation ..	Revenue 27,48,75,000 50,000
		Capital 41,25,63,000 4,00,000
88	Tourism ..	Revenue 5,05,12,000 ..
		Capital 10,46,11,000 ..
89	Ministry of Works and Housing ..	Revenue 1,26,59,000 ..
90	Public Works ..	Revenue 94,39,09,000 30,000
		Capital 29,02,89,000 15,00,000
91	Water Supply and Sewerage ..	Revenue 82,17,00,000 ..
92	Housing and Urban Development ..	Revenue 19,75,90,000 76,25,000
		Capital 54,95,51,000 43,20,93,000
93	Stationery and Printing ..	Revenue 41,16,45,000 4,000
94	Department of Atomic Energy ..	Revenue 54,05,000 ..
95	Atomic Energy Research, Develop- ment and Industrial Projects. ..	Revenue 92,80,91,000 ..
		Capital 75,64,55,000 ..
96	Nuclear Power Schemes ..	Revenue 64,05,21,000 ..
		Capital 56,47,36,000 ..
97	Department of Culture ..	Revenue 11,91,21,000 ..
98	Archaeology ..	Revenue 6,96,48,000 ..
99	Department of Electronics ..	Revenue 12,02,90,000 ..
		Capital 6,64,10,000 ..
100	Department of Science and Technology ..	Revenue 32,71,72,000 ..
		Capital 1,10,00,000 ..
101	Survey of India ..	Revenue 22,05,00,000 ..
102	Grants to Council of Scientific and Industrial Research. ..	Revenue 51,16,07,000 ..
103	Department of Space ..	Revenue 41,45,67,000 ..
		Capital 32,64,24,000 ..
104	Lok Sabha ..	Revenue 5,47,22,000 1,18,000
105	Rajya Sabha ..	Revenue 2,11,37,000 85,000
106	Department of Parliamentary Affairs ..	Revenue 25,11,000 ..
	CHARGED—Staff, Household and Al- lowances of the President. ..	Revenue .. 71,98,000
107	Secretariat of the Vice-President ..	Revenue 5,58,000 ..
	CHARGED—Union Public Service Commission. ..	Revenue .. 3,08,94,000
TOTAL		15986,40,19,000 30818,21,25,000

Assented to on 4-5-1979.

# THE MERCHANT SHIPPING (AMENDMENT) ACT, 1979

(ACT No. 20 OF 1979)

AN  
ACT

further to amend the Merchant Shipping Act, 1958.

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Merchant Shipping (Amendment) Act, 1979.

2. *Insertion of new Part VIA.*—In the Merchant Shipping Act, 1958 (44 of 1958) (hereinafter referred to as the principal Act), after Part VI, the following Part shall be inserted, namely:—

## 'PART VIA

### OBLIGATION OF CERTAIN CERTIFICATE HOLDERS TO SERVE GOVERNMENT OR IN INDIAN SHIPS

87A. *Definitions.*—In this Part, unless the context otherwise requires,—

- (a) "appointed day" means the date on which the Merchant Shipping (Amendment) Act, 1979, comes into force;
- (b) "certificate" means—
  - (i) a certificate of competency referred to in section 78; or
  - (ii) a certificate of service referred to in section 80; or
  - (iii) a certificate of competency or service referred to in section 86,

which has been obtained by any person by availing of training facilities in any of the merchant navy training establishments in India or experience of sea service on board any Indian ship or Indian Naval ship;

(c) "Government" includes—

- (i) a Board of Trustees constituted under the Major Port Trusts Act, 1963 (38 of 1963), for any port
- (ii) a corporation established by or under a Central, Provincial or State Act,
- (iii) a Government company within the meaning of section 617 of the Companies Act, 1956 (1 of 1956), and
- (iv) a Merchant Navy Training Institution financed wholly or mainly by Government;

(d) "suitable employment", in relation to the holder of any certificate, means employment in a capacity for which the holding of such certificate is an essential qualification.

87B. *Holders of certificates to serve the Government or in Indian ships for certain period.*—(1) Every citizen of India who obtains, on or after the appointed day, a certificate shall be liable to serve Government, or in any Indian ship, for such period not extending beyond four years from the date on which he obtains such certificate or for such shorter period as the Central Government may, by a general or special order published in the Official Gazette, specify.

(2) No citizen of India who has obtained, on or after the appointed day, a certificate shall accept any employment other than an employment under the Government or in any Indian ship, before the expiry of the period during which he is liable to serve the Government or in any Indian ship in accordance with the provisions of sub-section (1), and the orders made thereunder.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), a citizen of India who has obtained, on or after the appointed day, two or more certificates shall not be liable to serve under the Government or in any Indian ship for any period or periods exceeding, or, as the case may be, exceeding in the aggregate,

seven years or such shorter period as the Central Government may, by a general or special order published in the Official Gazette, specify.

87C. *Exemption from section 87B.*—(1) When any person referred to in section 87B has failed to secure suitable employment within a reasonable period from the date on which he applied for the same, he may make an application to the Director General for exempting him from the requirements of sub-section (1) and (2) of that section and if the Director General is satisfied that the grounds stated in the application justify the exemption sought for, he shall, by order, exempt such person from the requirements of those sub-sections.

(2) The Director-General may, either on his own motion or on an application made by an person referred to in section 87B, by order in writing, exempt such person from the requirements of sub-sections (1) and (2) of that section, if the Director-General is satisfied—

(a) that it is necessary so to do for compliance with any request made by the Government of any foreign country to make available the services of Indian personnel for meeting shortage of qualified personnel in its ships or shore establishments, or for compliance with any request made by any agency of the United Nations Organisation for making available Indian personnel for providing consultancy services on its behalf in technical co-operation or technical assistance programme in any country; or

(b) that such person is likely to suffer undue hardship if he is not so exempted.

(3) An application for exemption under sub-section (1) or sub-section (2) shall set out clearly all the particulars on the basis of which such exemption is applied for.

(4) Every such application shall be disposed of by the Director-General as expeditiously as possible and where the Director-General refuses to grant the exemption applied for, he shall record his reasons therefor and communicate the same to the applicant.

(5) Where, within a period of forty-five days of the date of receipt of any such application, the Director-General does not refuse to grant the exemption applied for, or does not communicate the refusal to the applicant, the Director-General shall be deemed to have granted the exemption applied for.

(6) Where the Director-General refuses to grant the exemption applied for, the applicant may prefer an appeal against such refusal to the Central Government within thirty days of the receipt of the order of the Director-General refusing the exemption and the Central Government may make such orders as it deems fit:

Provided that the Central Government may admit any appeal after the expiry of the period aforesaid, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time:

Provided further that no order confirming the order of the Director-General shall be made under this sub-section without giving the appellant an opportunity to represent his case.

87D. *Particulars of certificate, etc., to be furnished.*—Every citizen of Indian who obtains, on or after the appointed day, a certificate, shall furnish, in such form and at such intervals as may be prescribed, particulars of the certificate or certificates obtained by him and his employment.

3. *Amendment of section 377.*—In section 377 of the principal Act,—

(a) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Any certificate within the meaning of clause (b) of section 87A may be cancelled or suspended for an specified period by the Central Government if the person to whom such certificate has been granted has contravened the provisions of sub-section (1) or sub-section (2) of section 87B:



Provided that no order under this sub-section shall be passed by the Central Government unless the person concerned has been given an opportunity of making a representation against the order proposed.”:

- (h) in sub-section (2), for the words, brackets and figure “sub-section (1) or”, wherever they occur, the words, brackets, figures and letter “sub-section (1) or sub-section (1A) or” shall be substituted.

Assented to on 10th May, 1979.

## THE FINANCE ACT, 1979

(Act No. 21 of 1979)

AN

ACT

to give effect to the financial proposals of the Central Government for the financial year 1979-80.

Be it enacted by Parliament in the thirtieth year of Republic of India as follows:—

### CHAPTER I

#### PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Finance Act, 1979.

(2) Save as otherwise provided in this Act, sections 2 to 27 and sections 44, 45 and 46 shall be deemed to have come into force on the 1st day of April, 1979.

### CHAPTER II

#### RATES OF INCOME-TAX

2. *Income-tax.*—(1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 1979, income-tax shall be charged at the rates specified in Part I of the First Schedule and shall be increased,—

(a) in the cases to which Paragraphs A, B, C and D of that Part apply, by a surcharge for purposes of the Union; and

(b) in the cases to which Paragraph E of that Part applies, by a surcharge,

calculated in each case in the manner provided therein.

(2) In the cases to which Sub-Paragraph I or Sub-Paragraph II of Paragraph A of Part I of the First Schedule applies, where the assessee has, in the previous year, any net agricultural income, in addition to total income, and the total income exceeds ten thousand rupees, then,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first eight thousand rupees of the total income but with out being liable to tax); only for the purpose of charging income-tax in respect of the total income; and

(b) the income-tax chargeable shall be calculated as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if such aggregate income were the total income:

Provided that for the purposes of determining the amount of income-tax in accordance with this sub-clause, the provisions of clause (ii) of the proviso below Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A and the provisions relating to surcharge on income-tax in the said Sub-Paragraphs shall not apply;

(ii) the net agricultural income shall be increased by a sum of eight thousand rupees and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if the net agricultural income as so increased were the total income:

Provided that for the purposes of determining the amount of income-tax in accordance with this sub-clause, the provisions of clause (i) and clause (ii) of the proviso below Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A and the provisions relating to surcharge on income-tax in the said Sub-Paragraphs shall not apply;

(iii) the amount of income-tax determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax determined in accordance with sub-clause (ii);

Provided that where the sum so arrived at exceeds seventy per cent of the amount by which the total income exceeds ten thousand rupees, the excess shall be disregarded;

(iv) the amount of income-tax determined in accordance with sub-clause (iii) shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax and the sum so arrived at shall be the income-tax in respect of the total income.

(3) In cases to which the provisions of Chapter XII or section 164 of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the Income-tax Act) apply, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter or section, as the case may be.

(4) In cases in which tax has to be deducted under sections 193, 194, 194A, 194-B, 194BB, 194 D and 195 of the Income-tax Act at the rates in force, the deduction shall be made at the rates specified in Part II of the First Schedule.

(5) Subject to the provisions of sub-section (6), in cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head “Salaries” or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the “advance tax” payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force, such income-tax or, as the case may be, “advance tax” shall be so calculated, charged, deducted or computed at the rate or rates specified in Part III of the First Schedule:

Provided that in cases to which the provisions of Chapter XII or section 164 of the Income-tax Act apply, “advance tax” shall be computed with reference to the rates imposed by this sub-section or the rates as specified in that Chapter or section, as the case may be.

(6) In the cases to which Sub-Paragraph I or Sub-Paragraph II of Paragraph A of Part III of the First Schedule applies, where the assessee has, in the previous year or, if by virtue of any provisions of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income, in addition to total income, and the total income exceeds ten thousand rupees, then, in calculating income-tax under the first proviso to sub-section (5) of section 132 of the Income-tax Act or in charging income-tax under sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or in computing the “advance tax” payable under Chapter XVII-C of the said Act, at the rate or rates in force,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b)



- (that is to say, as if the net agricultural income were comprised in the total income after the first eight thousand rupees of the total income but without being liable to tax), only for the purpose of calculating, charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and
- (b) such income-tax or, as the case may be, "advance tax" shall be so calculated, charged or computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if such aggregate income were the total income;

Provided that for the purposes of determining the amount of income-tax or "advance tax" in accordance with this sub-clause, the provisions of clause (ii) of the proviso below Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A and the provisions relating the surcharge on income-tax in the said Sub-Paragraphs shall not apply;

(ii) the net agricultural income shall be increased by a sum of eight thousand rupees and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if the net agricultural income as so increased were the total income;

Provided that for the purposes of determining the amount of income-tax or "advance tax" in accordance with this sub-clause, the provisions of clause (i) and clause (ii) of the proviso below Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A and the provisions relating to surcharge on income-tax in the said Sub-Paragraphs shall apply;

(iii) the amount of income-tax or "advance tax" determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (ii);

Provided that where the sum so arrived at exceeds sixty per cent of the amount by which the total income exceeds ten thousand rupees, the excess shall be disregarded;

(iv) the amount of income-tax or "advance tax" determined in accordance with sub-clause (iii) shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent of such income-tax or, as the case may be, "advance tax" and the sum so arrived at shall be the income-tax or, as the case may be, "advance tax" in respect of the total income.

(7) For the purposes of this section and the First Schedule,—

(a) "company in which the public are substantially interested" means a company which is such a company as is referred to in section 108 of the Income-tax Act;

(b) "domestic company" means an Indian company, or any other company which, in respect of its income liable to income-tax under the Income-tax Act for the assessment year commencing on the 1st day of April, 1979, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income in accordance with the provisions of section 194 of that Act;

(c) "industrial company" means a company which is mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining.

*Explanation.*—For the purposes of this clause, a company shall be deemed to be mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining, if the income attributable to any one or more of the aforesaid activities included in its total income of the previous year (as computed before making any deduction under Chapter VIA of the Income-tax Act) is not less than fifty-one per cent of such total income;

(d) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);

(e) "net agricultural income", in relation to a person means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;

(f) "tax-free security" means any security of the Central Government issued or declared to be income-tax free, or any security of a State Government issued income-tax free, the income-tax whereon is payable by the State Government;

(g) all other words and expressions used in this section or in the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings respectively assigned to them in that Act.

### CHAPTER III DIRECT TAXES Income-tax

3. Amendment of section 10.—In section 10 of the Income-tax Act,—

(a) in clause (6), in the *Explanation* to sub-clause (viii), with effect from the 1st day of June, 1979,—

(i) in clause (ii), the word "or" shall be inserted at the end;

(ii) after clause (ii), the following clause shall be inserted, namely:—

"(iii) such other field as the Central Government may, having regard to the availability of Indians having specialised knowledge and experience therein, the needs of the country and other relevant circumstances, by notification in the Official Gazette, specify,";

(b) in clause (15), in sub-clause (ii), the following proviso shall be inserted with effect from the 1st day of April, 1980, namely:—

"Provided that where in the case of an assessee the interest on deposits in a Public Account of the nature referred to in item (3) in the Table below rule 3 of the Post Office Savings Banks Rules, 1965 exceeds two thousand two hundred and fifty rupees, the amount of interest on such deposits that shall not be included in the total income of the assessee under his sub-clause shall be two thousand two hundred and fifty rupees:";

(c) after clause (23B), the following clauses shall be inserted and shall be deemed always to have been inserted, namely:—

'(23BB) any income of an authority (whether known as the Khadi and Village Industries Board or by any other name) established in a State by or under a State or Provincial Act for the development of khadi or village industries in the State.

*Explanation.*—For the purposes of this clause, “khadi” and “village industries” have the meanings respectively assigned to them in the Khadi and Village Industries Commission Act, 1956 (61 of 1956);

(23BBA) Any income of any body or authority whether or not a body corporate or corporation (solely) established, constituted or appointed by or under any Central, State or Provincial Act which provides for the administration of any one or more of the following, that is to say, public religious or charitable trusts or endowments (including *maths*, temples, *gurdwaras*, *waks*, churches, *synagogues*, *agiaries* or other places of public religious worship) or societies for religious or charitable purposes registered as such under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force;

Provided that nothing in this clause shall be construed to exempt from tax the income of any trust, endowment or society referred to therein.”

4. *Amendment of section 35B.*—In section 35B of the Income-tax Act, with effect from the 1st day of April, 1980,—

- (a) in sub-section (1), in clause (b), in sub-clause (i), the words, figures and letters “, where such expenditure is incurred before the 1st day of April, 1978” shall be omitted;
- (b) sub-section (1A) shall be omitted.

5. *Amendment of section 35CCA.*—In section 35CCA of the Income-tax Act, with effect from the 1st day of June, 1979,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Where an assessee incurs any expenditure by way of payment of any sum—

(a) to an association or institution, which has as its object the undertaking of any programme of rural development, to be used for carrying out any programme of rural development approved by the prescribed authority; or

(b) to an association or institution, which has as its object the training of persons for implementing programmes of rural development,

the assessee shall, subject to the provisions of sub-section (2), be allowed a deduction of the amount of such expenditure incurred during the previous year.”

(b) in sub-section (2), for the portion beginning with the words “This section applies” and ending with words “in this behalf by the prescribed authority:” the following shall be substituted, namely:—

“The deduction under sub-section (1) shall not be allowed with respect to expenditure by way of payment of any sum to any association or institution, unless such association or institution is for the time being approved in this behalf by the prescribed authority.”

6. *Amendment of section 36.*—In section 36 of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 1980,—

(a) after clause (i), the following clause shall be inserted, namely:—

“(ia) the amount of any premium paid by a federal milk co-operative society to effect or to keep in force an insurance on the life of the cattle owned by a member of a co-operative society, being a primary society engaged in supplying milk raised by its members to such federal milk co-operative society;”

(b) after clause (vii), the following clause shall be inserted, namely:—

“(viii) in respect of any provision for bad and doubtful debts made by a scheduled bank

in relation to advances made by its rural branches, an amount not exceeding one and a half per cent of the aggregate average advances made by such branches, computed in the prescribed manner.

*Explanation.* For the purposes of this clause,—  
(i) “rural branch” means a branch of a scheduled bank situated in a place which has a population of not more than ten thousand according to the last preceding census of which the relevant figures have been published before the first day of the previous year;

(ii) “scheduled bank” has the same meaning as in the *Explanation* at the end of clause (b) of sub-section (2) of section 11, but (does not include a co-operative bank;”;

(c) in clause (viii)—

(i) for the portion beginning with the words “agricultural development in India” and ending with the words “carried to such reserve account:”, the following shall be substituted, namely:—

“agricultural development in India or by a public company formed and registered in India with the main object of carrying on the business of providing long-term finance for construction or purchase of houses in India for residential purposes, an amount not exceeding forty per cent of the total income (computed before making any deduction under Chapter VIA) carried to such reserve account:”;

(ii) in the first and second provisos for the words “corporation”, the words “corporation or, as the case may be, the company” shall be substituted;

(iii) the following *Explanation* shall be inserted at the end, namely:—

“*Explanation.*—In this clause, public company” shall have the meaning assigned to it in section 3 of the Companies Act, 1956 (1 of 1956);”

7. *Amendment of section 37.*—In section 37 of the Income-tax Act, in *Explanation 1* below sub-section (3B), for the words “, is certified by the prescribed authority as not exceeding”, the words “does not exceed” shall be substituted.

8. *Amendment of section 54E.*—In section 54E of the Income-tax Act,—

(1) in sub-section (1),—

(a) for the words “full value of the consideration or any part thereof received or accruing as a result of such transfer”, the words “whole or any part of the net consideration” shall be substituted;

(d) in clause (a), for the words, “full value of the consideration received or accruing”, the words “net consideration” shall be substituted;

(c) in clause (b),—

(i) for the words “full value of the consideration received or accruing”, the words “net consideration” shall be substituted;

(ii) for the words “full value of such consideration” the words “net consideration” shall be substituted;

(d) in *Explanation*,—

(i) for the words, brackets and figure “For the purposes of this sub-section and sub-section (3), “specified asset” means any of the following assets, namely”:— the following shall be substituted, namely:—

“For the purposes of this sub-section, “specified asset” means—

(a) in a case where the original asset is transferred before the 1st day of March, 1979, any of the following assets, namely:—

(ii) after clause (vi), the following clause shall be inserted, namely:—

“(b) in a case where the original asset is transferred after the 28th day of February, 1979, such National Rural Development Bonds as the Central Government may notify in this behalf in the Official Gazette.”;

(e) in explanation 3, for the words, brackets, figure and letter “the full value of the consideration or any part thereof in any equity shares referred to in clause (va)” the words, brackets, figures and letters “the whole or any part of the net consideration in any equity shares referred to in sub-clause (va) of clause (a)” shall be substituted;

(f) in Explanation 4, for the word, brackets and figures “clause (vi)”, the words, brackets, figures and letter “sub-clause (vi) of clause (a)” shall be substituted;

(g) after Explanation 4, the following Explanation shall be inserted, namely:—

“Explanation 5.—“net consideration”, in relation to the transfer of a capital asset, means the full value of the consideration received or accruing as a result of the transfer of the capital assets as reduced by any expenditure incurred wholly and exclusively in connection with such transfer.”;

(2) in sub-section (1A),—

(a) for the words “full value of the consideration or any part thereof received or accruing as a result of the transfer”, the words “whole or any part of the net consideration in respect” shall be substituted;

(b) for the words, brackets and figures “referred to in clause (vi)”, the words, brackets, figures and letter “referred to in sub-clause (vi) of clause (a)” shall be substituted;

(c) in clause (a), for the words, brackets and figures “said clause (vi)”, the words, brackets and figures “said sub-clause (vi)” shall be substituted;

(3) in sub-section (2), in the Explanation,—

(a) for the words “full value of the consideration or any part thereof received or accruing as a result of the transfer”, the words “whole or any part of the net consideration in respect” shall be substituted;

(b) for the word, brackets and figures “clause (vi)”, the words, brackets, figures and letter “sub-clause (vi) of clause (a)” shall be substituted;

(4) in sub-section (3), in the Explanation,—

(a) in clause (iii), for the word, brackets and figures “clause (vi)”, the words, brackets, figures and letter “sub-clause (vi) of clause (a)” shall be substituted;

(b) after clause (iii) the following clause shall be inserted, namely:—

“(iiiia) “specified asset” means—

(a) in relation to any additional compensation or additional consideration received before the 1st day of March, 1979, any of the assets referred to in clause (a) of Explanation 1 below sub-section (1);

(b) in relation to any additional compensation or additional consideration received after the 28th day of February, 1979, the National Rural Development Bonds referred to in clause (b) of Explanation 1 below sub-section (1);

(5) in sub-section (4) in the Explanation, for the word

brackets and figures—“clause (vi)”, the word, brackets, figures and letter “sub-clause (vi) of clause (a)” shall be substituted;

(6) in sub-section (5), for the word, brackets, and figures “clause (vi)”, the words, brackets, figure and letter “sub-clause (vi) of clause (a)” shall be substituted;

(7) in sub-section (6), for the word, brackets, figure and letter “clause (va)”, the words, brackets’ figure and letters “sub-clause (va) of clause (a)” shall be substituted.

9. Amendment of section 64.—In section 64 of the Income-tax Act, with effect from the 1st day of April, 1980,—

(a) in sub-section (1),—

(i) in Explanation 1, for the words, brackets and figure “For the purposes of clause (i)”, the words brackets and figures “For the purposes of clause (i) and clause (ii)” shall be substituted;

(ii) after Explanation 1, the following Explanation shall be inserted, namely:

“Explanation 1A.—For the purposes of clause (i), where the spouse of an individual is a beneficiary under a trust, the income arising to the trustee from the membership of the trustee in a firm carrying on a business in which such individual is a partner shall, to the extent such income is for the immediate or deferred benefit of the spouse of such individual, be deemed to be income arising indirectly to the spouse of such individual from the membership of the spouse in a firm carrying on a business in which such individual is partner.”;

(iii) after Explanation 2, the following Explanation shall be inserted, namely:—

“Explanation 2A.—For the purposes of clause (iii), where the minor child of an individual is a beneficiary under a trust, the income arising to the trustee from the membership of the trustee in a firm shall, to the extent such income is for the benefit of the minor child, be deemed to be income arising indirectly to the minor child from the admission of the minor to the benefits of partnership in a firm.”;

(b) in sub-section (2)—

(i) for the words and brackets “into the common stock of the family (such property being hereinafter referred to as the converted property)”, the words and brackets “into the common stock of the family or been transferred by the individual, directly or indirectly, to the family otherwise than for adequate consideration (the property so converted or transferred being hereinafter referred to as the converted property)” shall be substituted;

(ii) the Explanation shall be numbered as Explanation 1 and after Explanation 1 as so numbered, the following Explanation shall be inserted, namely:—

“Explanation 2.—For the purposes of this section, “income” includes loss.”;

10. Amendment of section 89C.—In section 80C of the Income-tax Act, for sub-section (1), the following sub-section shall be substituted with effect from the 1st day of April, 1980, namely:—

“(1) In computing the total income of an assessee, there shall be deducted, in accordance with and subject to the provisions of this section, an amount calculated, with reference to the aggregate of the sums specified in sub-section (2), at the following rates, namely:—

(a) where such aggregate does not exceed Rs. 5,000. The whole of such aggregate;

- (b) where such aggregate exceeds Rs. 5,000 plus 35 per cent of the amount by which Rs. 5,000 but such aggregate does not exceed Rs. 5,000;
- (c) where such aggregate exceeds Rs. 10,000 Rs. 6,750 plus 20 per cent of the amount by which such aggregate exceeds Rs. 10,000."

11. *Insertion of new section 80GGA.*—In Chapter VIA of the Income-tax Act, under the heading "B.—Deductions in respect of certain payments":—After section 80GG, the following section shall be inserted with effect from the 1st day of April, 1980, namely:—

**'80GGA. Deduction in respect of certain donations for scientific research or rural development.**—(1) In computing the total income of an assessee, there shall be deducted, in accordance with and subject to the provisions of this section, the sums specified in sub-section (2).

(2) The sums referred to in sub-section (1) shall be the following, namely:—

- (a) any sum paid by the assessee in the previous year to a scientific research association which has as its object the undertaking of scientific research or to a University, college or other institution to be used for scientific research:

Provided that such association, University, college or institution is for the time being approved for the purposes of clause (ii) of sub-section (1) of section 35;

- (b) any sum paid by the assessee in the previous year—

- (i) to an association or institution, which has as its object the undertaking of any programme of rural development, to be used for carrying out any programme of rural development approved for the purposes of section 35CCA; or
- (ii) to an association or institution which has as its object the training of persons for implementing programmes of rural development:

Provided that the association or institution is for the time being approved for the purposes of sub-section (2) of section 36CCA.

- (3) Notwithstanding anything contained in sub-section (1), no deduction under this section shall be allowed in the case of an assessee whose gross total income includes income which is chargeable under the head "Profits and gains of business or profession".
- (4) Where a deduction under this section is claimed and allowed for any assessment year in respect of any payments of the nature specified in sub-section (2), deduction shall not be allowed in respect of such payments under any other provision of this Act for the same or any other assessment year."

12. *Amendment of section 80J.*—In section 80J of the Income-tax Act, in sub-section (4), after the second proviso and before Explanation 1, the following proviso shall be inserted, namely:—

"Provided also that in the case of an industrial undertaking which manufactures or produces any article specified in the list in the Eleventh Schedule, the provisions of clause (iii) shall have effect as if for the words "thirty-three years", the words "thirty-one years" had been substituted."

13. *Insertion of new section 80JJA.*—In the Income-tax Act, after section 80JJ, the following section shall be inserted with effect from the 1st day of April, 1980, namely:—

**'80JJA. Deduction in respect of profits and gains from business of growing mushrooms.**—Where the gross

total income of an assessee includes any profits and gains derived from a business of growing mushrooms, not being profits and gains that are in the nature of agricultural income, there shall be allowed, in computing the total income of the assessee, a deduction from such profits and gains of an amount equal to one-third of such profits and gains or ten thousand rupees whichever is less."

14. *Amendment of section 80P.*—In section 80P of the Income-tax Act, in sub-section (2), in clause (c), for the words "so much of its profits and gains attributable to such activities as does not exceed twenty thousand rupees";, the following shall be substituted with effect from the 1st day of April, 1980, namely:—

"so much of its profits and gains attributable to such activities as does not exceed,—

- (i) where such co-operative society is a consumers' co-operative society, forty thousand rupees; and
- (ii) in any other case, twenty thousand rupees.

*Explanation.*—In this clause, "consumers' co-operative society" means a society for the benefit of the consumers."

15. *Insertion of new section 80QQA.*—In the Income-tax Act, after section 80QQ, the following section shall be inserted with effect from the 1st day of April, 1980, namely:—

**'80QQA. Deduction in respect of professional income of authors of text books in Indian languages.**—(1) Where, in the case of an individual resident in India, being an author, the gross total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1980, or to any one of the four assessment years next following that assessment year, includes any income derived by him in the exercise of his profession on account of any lump sum consideration for the assignment or grant of any of his interests in the copyright of any book, or of royalties or copyright fees (whether receivable in lump sum or otherwise) in respect of such book, there shall, in accordance with and subject to the provisions of this section, be allowed, in computing the total income of the assessee, a deduction from such income of an amount equal to twenty-five per cent thereof.

(2) No deduction under sub-section (1) shall be allowed unless—

- (a) the book is either in the nature of a dictionary, thesaurus or encyclopaedia or is one that has been prescribed or recommended as a text book, or included in the curriculum, by any University, for a degree or post-graduate course of that University; and
- (b) the book is written in any language specified in the Eighth Schedule to the Constitution or in any such other language as the Central Government may, by notification in the Official Gazette, specify in this behalf having regard to the need for promotion of publication of books of the nature referred to in clause (a) in that language and other relevant factors.

*Explanation.*—For the purposes of this section,—

- (i) "author" includes a joint author;—
- (ii) "lump sum", in regard to royalties or copyright fees, includes and advance payment on account of such royalties or copyright fees which is not returnable;
- (iii) "University" shall have the same meaning as in the explanation to clause (ix) of section 47."

16. *Amendment of section 208.*—In section 208 of the Income-tax Act, in sub-section (2), in clause (b), for the letters and figures "Rs. 30,000", the letters and figures "Rs. 20,000" shall be substituted.

17. *Amendment of section 209A.*—In section 209A of the Income-tax Act,—

(a) in sub-section (1),—

(i) in the opening portion, for the words "before the date", at both the places where they occur, the words "on or before the date" shall be substituted;

(ii) for the portion beginning with the words "and shall pay such amount" and ending with the words and figures "under section 211", the following shall be substituted, namely:—  
"and shall pay such amount of advance tax,—"

(i) in a case falling under clause (a), as accords with the statement in equal instalments on the date applicable in his case under section 211; and

(ii) in a case falling under clause (b), as accords with the estimate in equal instalments on such of the date applicable in his case as have not expired, or in one sum if only the last of such dates has not expired."

(b) in sub-section (2), for the words "at any time before the date", the words "on or before the date" shall be substituted;

(c) in sub-section (3), for the words "at any time before the last instalment", the words "on or before the date on which the last instalment" shall be substituted;

d) in sub-section (4),—

(i) for the words "at any time before the date", the words "on or before the date" shall be substituted;

(ii) in the proviso, for the words "before the date on which the last instalment" the words "on or before the date on which the last instalment" shall be substituted, and for the words "before such date", the words "on or before such date" shall be substituted;

(e) in sub-section (5), for the words "before any one of the dates" the words "on or before any one of the dates" shall be substituted.

**18. Amendment of section 212.**—In section 212 of the Income-tax Act,

(a) in sub-section (1), in the opening portion, for the words "at any time before the last instalment", the words "on or before the date on which the last instalment" shall be substituted;

(b) in sub-section (2), for the words "before any one of the dates", the words "on or before any one of the dates" shall be substituted;

(c) in sub-section (3A),—

(i) for the words "at any time before the date", the words "on or before the date" shall be substituted;

(ii) in the proviso, for the words "before the date on which the last instalment", the words "on or before the date on which the last instalment" shall be substituted.

**19. Amendment of section 218.**—In section 218 of the Income-tax Act, in sub-section (2), for the words "before the date", the words "on or before the date" shall be substituted.

**20. Amendment of section 246.**—In section 245D of the Income-tax Act,—

(a) in sub-section (1), the second proviso shall be omitted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Notwithstanding anything contained in sub-section (1), an application shall not be proceeded with under that sub-section if the Commissioner objects to the application being proceeded with on the ground that concealment of particular of income on to part of the applicant or perpetration of fraud by him for evading any tax or

the sum chargeable or imposeable under the Indian Income-tax Act, 1922 (11 of 1922), or under this Act, has been established or is likely to be established by any income-tax authority, in relation to the case."

Provided that where the Settlement Commission is not satisfied with the correctness of the objection raised by the Commissioner, the Settlement Commission may, after giving the Commissioner an opportunity of being heard, by order, allow the application to be proceeded with under sub-section (1) and send a copy of its order to the Commissioner."

**21. Amendment of section 246.**—In section 246 of the Income-tax Act, with effect from the 1st day of June, 1979,—

(a) in sub-section (2),—

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) an order specified in clauses (b) to (h) (both inclusive) and clauses (i) to (o) (both inclusive) of sub-section (1) or an order under section 104, made against the assessee, being a company;"

(ii) clauses (b) and (e) shall be omitted;

(b) after sub-section (3) and before the Explanation, the following (sub-sections) shall be inserted, namely:—

"(4) Every appeal against an order specified in clauses (b) to (g) (both inclusive) and clauses (i) to (o) (both inclusive) of sub-section (1) made against the assessee, being a company, which is pending immediately before the 1st day of June, 1979 before an Appellate Assistant Commissioner and any matter arising out of or connected with such appeal and which is so pending shall stand transferred on that day to the Commissioner (Appeals) and the Commissioner (Appeals) may proceed with such appeal or matter from the stage at which it was on that day:

Provided that the appellant may demand that before proceeding further with the appeal or matter, the previous proceeding or any part thereof be re-opened or that he be re-heard.

(5) Notwithstanding anything contained in sub-section (1), the Board may, by order in writing, transfer any appeal which is pending before an Appellate Assistant Commissioner and any matter arising out of or connected with such appeal and which is so pending to the Commissioner (Appeals) if the Board is satisfied that it is necessary or expedient so to do having regard to the nature of the case, the complexities involved and other relevant consideration and the Commissioner (Appeals) may proceed with such appeal or matter from the stage at which it was so transferred:

Provided that the appellant may demand that before proceeding further with the appeal or matter, the previous proceeding or any part thereof be re-opened or that he be re-heard."

(c) in the Explanation clause (b) shall be omitted.

**22. Consequential amendments to certain sections.**—(1) The following amendment (being an amendment of a consequential nature) shall be made in the Income-tax Act, namely,—

In the Eleventh Schedule, for the brackets, words, figures and letters "(See section 32A)", the brackets, words, figures and letters "[See section 32A and section 80J (4)]" shall be substituted.

(2) The following amendments (being amendments of a consequential nature) shall be made in the Income-tax Act with effect from the 1st day of April, 1980, namely:—

(a) in sub-section (1) of section 20, in clause (i) for the words, brackets and figures "clauses (iii). (vi)

and (vii)" the words, brackets, figures and letter "clauses (iii), (vi), (vii) and (viii)" shall be substituted;

(b) in sub-section (3) of section 80A, —

(i) after the words, figures and letter "section 80G", the words, figures and letters "or section 80GGA" shall be inserted;

(ii) after the word, figures and letters "section 80JJ" the words, figures and letters "or section 80JJA" shall be inserted;

(c) in sub-section (3) of section 80P, —

(i) after the words, figures and letters "or section 80JJ", the words, figures and letters "or section 80JJA" shall be inserted;

(ii) for the words, figures and letters "section 80J and section 80JJ", the words, figures and letters "section 80J, section 80JJ and section 80JJA" shall be substituted.

#### Wealth-tax

**23. Amendment of section 4.**—In the Wealth-tax Act, 1957 (27 of 1957) hereinafter referred to as the Wealth-tax Act), in section 4, with effect from the 1st day of April, 1980,—

(a) in sub-section (1A), for the words and brackets "into the common stock of the family (such property being hereinafter referred to as the converted property)", the words and brackets "into the common stock of the family or been transferred by the individual, directly or indirectly, to the family otherwise then for adequate consideration) the property so converted or transferred being hereinafter referred to as the converted property" shall be substituted;

(b) in sub-section (3), after the words, brackets, letter and figure "clause (a) of sub-section (1)", the words brackets, figure and letter "or sub-section (1A)" shall be inserted.

**24. Amendment of section 22D.**—In section 22D of the Wealth-tax Act,—

(a) in sub-section (1), the second proviso shall be omitted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Notwithstanding anything contained in sub-section (1) an application shall not be proceeded with under that sub-section if the Commissioner objects to the application being proceeded with on the ground the concealment of particulars of the net wealth on the part of the applicant or perpetration of fraud by him for evading any tax or other sum chargeable or imposable under this Act has been established or is likely to be established by any Wealth-tax authority, in relation to the case:

Provided that where the Settlement Commission is not satisfied with the correctness of the objection raised by the Commissioner, the Settlement Commission may, after giving the Commissioner an opportunity of being heard, by order, allow the application to be proceeded with under sub-section (1) and send a copy of its order to the Commissioner."

**25. Amendment of section 23.**—In section 23 of the Wealth-tax Act, after sub-section (1B), the following sub-section shall be inserted with effect from the 1st day of June, 1979, namely:—

"(1C) Notwithstanding anything contained in sub-section (1), the Board may, by order in writing, transfer any appeal which is pending before in Appellate Assistant Commissioner and any matter arising out of or connected with such appeal and which is so pending to the Commissioner (Appeals) if the Board is satisfied that it is necessary or expedient so to do having regard to the nature

of the case, the complexities involved and other relevant considerations and the Commissioner (Appeals) may proceed with such appeal or matter from the stage at which it was before it was so transferred:

Provided that the appellant may demand that before proceeding further with the appeal or matter, the previous proceeding or any part thereof be re-opened or that he be re-heard."

**26. Amendment of Schedule I.**—In the Wealth-tax Act, for Part I of Schedule I, the following Part shall be substituted with effect from the 1st day of April, 1980, namely:—

#### "PART I

(1) In the case of every individual or Hindu undivided family, not being a Hindu undivided family to which item (2) of this Part applies,—

#### Rate of tax

- |  |   |
|--|---|
| (a) where the net wealth does not exceed Rs. 2,50,000                            | 1/2 per cent of the net wealth;   |
| (b) where the net wealth exceeds Rs. 2,50,000 but not exceed Rs. 5,00,000        | Rs. 1,250 plus 1 per cent of the amount by which the net wealth exceeds Rs. 2,50,000;   |
| (c) where the net wealth exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000  | Rs. 3,750 plus 2 per cent of the amount by which the net wealth exceeds Rs. 5,00,000;   |
| (d) where the net wealth exceeds Rs. 10,00,000 but does not exceed Rs. 15,00,000 | Rs. 13,750 plus 2 per cent of the amount by which the net wealth exceeds Rs. 10,00,000; |
| (e) where the net wealth exceeds Rs. 15,00,000                                   | Rs. 28,750 plus 5 per cent of the amount by which the net wealth exceeds Rs. 15,00,000; |

Provided that for the purposes of this item,—

- (i) no wealth-tax shall be payable where the net wealth does not exceed Rs. 1,00,000;
- (ii) the wealth-tax payable shall, in no case, exceed 5 per cent. of the amount by which the net wealth exceeds Rs. 1,00,000.
- (2) In the case of every Hindu undivided family which has at least one member whose net wealth assessable for the assessment year exceeds Rs. 1,00,000,—

#### Rate of tax

- |   |   |
|---|---|
| (a) where the net wealth does not exceed Rs. 2,50,000                           | 1-1/2 per cent of the net wealth;   |
| (b) where the net wealth exceeds Rs. 2,50,000 but not exceed Rs. 5,00,000       | Rs. 3,750 plus 2 per cent of the amount by which the net wealth exceeds Rs. 2,50,000;   |
| (c) where the net wealth exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 | Rs. 8,750 plus 3 per cent of the amount by which the net wealth exceeds Rs. 5,00,000;   |
| (d) where the net wealth exceeds Rs. 10,00,000                                  | Rs. 24,750 plus 5 per cent of the amount by which the net wealth exceeds Rs. 10,00,000; |

Provided that for the purposes of this item,—

- (i) no wealth-tax shall be payable where the net wealth does not exceed Rs. 1,00,000;
- (ii) the wealth-tax payable shall, in no case, exceed 5 per cent. of the amount by which the net wealth exceeds Rs. 1,00,000."

#### Gift-tax

**27. Amendment of Act 18 of 1958.**—In section 22 of the Gift-tax Act, 1958, after sub-section (1B), the following sub-section shall be inserted with effect from the 1st day of June, 1979, namely:—

"(1C) Notwithstanding anything contained in sub-section (1), the Board may, by order in writing, transfer any appeal which is pending before an

Appellate Assistant Commissioner and any matter arising out of or connected with such appeal and which is so pending, to the Commissioner (Appeals) if the Board is satisfied that it is necessary or expedient so to do having regard to the nature of the case, the complexities involved and other relevant considerations and the Commissioner (Appeals) may proceed with such appeal or matter from the stage at which it was before it was so transferred:

Provided that the appellant may demand that before proceeding further with the appeal or matter, the previous proceeding or any part thereof be re-opened or that he be re-heard."

## CHAPTER IV INDIRECT TAXES

28. *Amendment of Act 51 of 1975.*—The Customs Tariff Act, 1975 (hereinafter referred to as the Customs Tariff Act), shall be amended in the manner specified in the Second Schedule.

29. *Amendment of Act 1 of 1944.*—(1) The Central Excises and Salt Act, 1944 (hereinafter referred to as the Central Excises Act), shall be amended in the manner specified in the Third Schedule.

(2) The First Schedule to the Central Excise Act shall have and shall be deemed to have had effect as if—

(a) the following Items (hereafter in this section referred to as "the said Items") had been inserted therein at the places indicated by their respective numbers, with effect on and from the 1st day of March, 1979, namely:—

Item No.	Description of goods	Rate of duty
1	2	3
"47	LOGKS, ALL SORTS, AND KEYS THEREFOR. <i>Explanation.</i> —"Lock" means a locking device operated by a key or controlled by a combination of letters or figures.	Twenty per cent <i>ad valorem</i> .
59.	TOOTH BRUSHES	Twenty-five per cent, <i>ad valorem</i> ."

(b) the said Items had been omitted on the appointed day.

and the provisions of section 6 of the General Clauses Act, 1897 (10 of 1897), shall, in relation to the omission of the said Items effected by clause (b), apply as they apply in relation to the repeal by a Central Act of an enactment.

(3) Notwithstanding anything contained in the Provisional Collection of Taxes Act, 1931 (16 of 1931), anything done or purported to have been done, or any action taken or purported to have been taken, before the appointed day under the Central Excises Act by virtue of clause (v) or clause (vi) of Part II of the Third Schedule to the Finance Bill, 1979 read with the Provisional Collection of Taxes Act, 1931, shall be deemed to have been done or taken, for all purposes, under the First Schedule to the Central Excise Act as amended by sub-section (2).

*Explanation.*—For the purposes of sub-sections (2) and (3), "appointed day" means the day of the coming into force of this section.

30. *Amendment of Act 58 of 1957.*—The Additional Duties of Excise (Goods of Special Importance) Act, 1957 (hereinafter referred to as the Additional Duties of Excise Act), shall be amended in the manner specified in the Fourth Schedule.

31. *Auxiliary duties of customs.*—(1) In the case of goods mentioned in the First Schedule to the Customs Tariff Act, or in that Schedule to the as amended from time to time, there shall be levied and collected as an

auxiliary duty of customs an amount equal to twenty per cent of the value of the goods as determined in accordance with the provisions of section 14 of the Customs Act, 1962 (52 of 1962) (hereinafter referred to as the Customs Act).

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1980, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897 (10 of 1897), shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The auxiliary duties of customs referred to in sub-section (1) shall be in addition to any duties of customs chargeable on such goods under the Customs Act, or any other law for the time being in force.

(4) The provisions of the Customs Act and the rules and regulations made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of customs leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of customs on such goods under the Act or those rules and regulations, as the case may be.

32. *Special duties of excise.*—(1) In the case of goods chargeable with a duty of excise under the Central Excises Act as amended from time to time, read with any notification for the time being in force issued by the Central Government in relation to the duty so chargeable, there shall be levied and collected a special duty of excise equal to five per cent of the amount so chargeable on such goods.

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1980, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897 (10 of 1897), shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The special duties of excise referred to in sub-section (1) shall be in addition to any duties of excise chargeable on such goods under the Central Excises Act, or any other law for the time being in force.

(4) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the special duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules, as the case may be.

## CHAPTER V FOREIGN TRAVEL TAX

33. *Extent and commencement.*—(1) This Chapter extends to the whole of India.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

34. *Definitions.*—In this Chapter, unless the context otherwise requires,—

(a) "aircraft" means an aircraft as defined in section 2 of the Aircraft Act, 1934 (22 of 1934), which is used (whether exclusively or not) for the carriage of passengers;

(b) "carrier" means the person or authority undertaking the carriage of a passenger on an international journey and includes any agent, representative or other person acting on behalf of such person or authority;

(c) "customs port" and "customs airport" means, respectively, a port or an airport appointed as



such under clause (a) of section 7 of the Customs Act, 1962 (52 of 1962);

(d) "international journey", in relation to a passenger, means his journey from any customs port or customs airport on board any ship or aircraft to a place outside India;

(e) "passenger" means any person boarding, at any customs port or customs airport, a ship or an aircraft for performing an international journey, but does not include—

(a) a person who has arrived at such customs port or customs airport from a place outside India and is in transit through India;

Provided that he continues his journey to a place outside India—

(i) on board the same ship and as part of the same voyage of the ship; or

(ii) by the same aircraft and the flight having the same number by which he arrived; or

(b) a person employed or engaged in any capacity on board the ship or aircraft on the business thereof;

(f) "ship" means a ship used (whether exclusively or not) for the carriage of passengers.

35. *Foreign travel tax.*—(1) With effect from the date the date of commencement of this Chapter, there shall be levied on all passengers embarking on international journeys a tax (hereafter in this Chapter referred to as the foreign travel tax)—

(i) at the rate of one hundred rupees for every such journey to any place outside India other than a place in a neighbouring country;

(ii) at the rate of fifty rupees for every such journey, where such journey is to any place in a neighbouring country.

*Explanation.*—For the purposes of this sub-section, "neighbouring country" means any country which the Central Government may, having regard to the the classes of persons who generally perform journeys to such country, the distance between India and such country, the means of communications available for reaching such country and any other relevant circumstances, specify in this behalf by notification in the Official Gazette.

(2) In accordance with the rules made under this Chapter, the foreign travel tax shall be collected by the officers of customs appointed under the Customs Act, 1962 (52 of 1962), or such officers of the Central Government or the State Government or the International Airports Authority of India constituted under the International Airports Authority Act, 1971 (43 of 1971), or such carriers, as may be authorised in this behalf by the Central Government by notification in the Official Gazette and paid to the credit of the Central Government.

36. *Power to exempt.*—Notwithstanding anything contained in this Chapter, the Central Government may, by notification in the Official Gazette, and subject to such conditions and limitations as may be specified therein, exempt, wholly or to such extent as may be specified in the notification, any class or classes of passengers or any category or categories of passengers under any such class from the payment of foreign travel tax if that Government is satisfied that it is necessary or expedient so to do, having regard to the place of destination, of the journey and any other special circumstances.

37. *Passenger not to be permitted to board ship or aircraft without payment travel tax.*—No carrier or other person in charge of a ship or an aircraft shall allow any passenger to board the ship or aircraft unless such passenger has paid the tax payable by him under this Chapter.

38. *Penalties.*—(1) Every passenger who embarks or attempts to embark on an international journey without paying the tax payable by him under this Chapter shall, in addition to his liability to pay the tax, be liable to a penalty not exceeding two hundred rupees.

(2) Every carrier or other person in charge of a ship or an aircraft, who, in contravention of the provisions of section 37, allows any passenger or passengers to board the ship or aircraft, shall be liable to a penalty not exceeding three times the amount or the aggregate amount of the tax payable by the passenger or passengers so allowed to board the ship or aircraft.

(3) Any penalty under this section may be adjudged, collected and paid to the credit of the Central Government by such authority and in such manner as may be specified in the rules made under this Chapter.

39. *Protection of action taken in good faith.*—No suit or other legal proceeding shall lie against the Central Government and no suit, prosecution or other legal proceeding shall lie against any officer of the Central Government or the State Government or the International Airports Authority of India referred to in sub-section (2) of section 35 for anything in good faith done or intended to be done in pursuance of this Chapter or the rules made thereunder.

40. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make Rules for carrying out the purposes of this Chapter.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the collection of the foreign travel tax including the charges for collection payable to any State Government or the International Airports Authority of India referred to in sub-section

(2) of section 35 or any carrier, the authorities by whom adjudication of penalties or other functions under this Chapter shall be discharged, the manner in which such tax, penalties or other sums due under this Chapter shall be payable, the manner in which such tax, penalties or other sums shall be collected and paid to the credit of the Central Government and the procedure for claiming refund of any amount paid under this Chapter;

(b) the powers of officers authorised under sub-section (2) of section 35 to enter, inspect and search any ship or aircraft for the purpose of carrying on any duty imposed on such officer by or under this Chapter;

Provided that the provisions of the, Code of Criminal Procedure, 1973 (2) of 1974) relating to searches, shall, so far as they are applicable, apply in relation to searches under rules made under this Chapter;

(c) the procedure for adjudication of penalties;

(d) appeals against orders made under this Chapter, the manner in which and the time within which such appeals may be preferred and the fees payable therefor;

(e) the returns and other particulars and information which may be required to be furnished for the purposes of this Chapter, the persons or authorities by or to whom or which, and the intervals at which, such returns, particulars and information shall be furnished;

(f) any other matter which is to be, or may be, provided for by rules under this Chapter.

41. *Rules and notifications to be laid before Parliament.*—Every rule made under this Chapter and every notification issued under the *Explanation* to sub-section (1) of section 35 or section 36 shall be laid as soon as may be after it is made or issued before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule should not be made or the notification should not be issued, the rule or notification shall thereafter have effect only in such modified



form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

42. *Cesser of operation of Chapter VII of Act 32 of 1971 and saving.*—Chapter VII of the Finance (No. 2) Act, 1971 (relating to foreign travel tax) shall cease to have effect except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897 (10 of 1897) shall apply upon such cesser as if the said Chapter had then been repealed by a Central Act.

#### CHAPTER VI MISCELLANEOUS

43. *Amendment of Act 6 of 1898.*—In the First Schedule to the Indian Post Office Act, 1898, for the sub-headings "Letters" "Letters-cards" and the entries under those sub-headings, the following shall be substituted, namely:—

##### "Letters"

For a weight not exceeding ten grams 30 Paise.  
For every ten grams or fraction thereof,  
exceeding ten grams 15 paise.

##### Letter-cards

For a letter-card 25 paise."

44. *Amendment of Act 10 of 1963.*—In the Agricultural Refinance and Development Corporation Act, 1963, after section 42, the following section shall be inserted, namely:—

42. *Corporation to be exempt from income-tax and surtax for a certain period.*—Notwithstanding anything contained in the Income tax Act, 1961 (43 of 1961) or the Companies (Profits) Surtax Act, 1964 (7 of 1964), the Corporation shall not be liable to pay any tax under either of the said Acts on its income, profits or gains for the previous year relevant to the assessment year commencing on the 1st day of April, 1979 and for the four

##### Rates of income tax.

- (1) where the total income does not exceed Rs. 8,000.
- (2) where the total income exceeds Rs. 8,000 but does not exceed Rs. 15,000
- (3) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000
- (4) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000
- (5) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000
- (6) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000
- (7) where the total income exceeds Rs. 50,000 but does not exceed Rs. 70,000
- (8) where the total income exceeds Rs. 70,000 but does not exceed Rs. 1,00,000
- (9) where the total income exceeds Rs. 1,00,000

Provided that for the purposes of this Sub Paragraph,—

- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000;
- (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 10,540 the income-tax payable thereon shall not exceed seventy per cent of the amount by which the total income exceeds Rs. 10,000.

##### Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income tax.

##### Sub-Paragraph II

In the case of every Hindu undivided family which at any time during the previous year has at least one member whose total income of the previous year relevant to the assessment year commencing of the 1st day of April, 1979 exceeds Rs. 10,000,—

##### Rates of income-tax

- (1) where the total income does not exceed Rs. 8,000 Nil;

previous years next following that previous year."

45. *Amendment of Act 21 of 1973.*—In section 23 of the Finance Act, 1973, for the words "six previous years", the words "seven previous years" shall be substituted.

46. *Amendment of Act 38 of 1974.*—In the compulsory Deposit Scheme (Income-tax Payers) Act, 1974,—

- (a) in section 3, in sub-section (1), for the figures letters and words "1st day of April, 1980", the figures, letters and words "1st day of April, 1982" shall be substituted;
- (b) in section 4, in sub-section (1), in clause (iii), for the words, figures and letters "on the 1st day of April, 1979", the words, figures, letters and brackets "on the 1st day of April, 1979 and every subsequent assessment year (not being an assessment year commencing on or after the 1st day of April, 1982)" shall be substituted.

#### THE FIRST SCHEDULE

(See section 2)

#### PART I

##### INCOME-TAX AND SURCHARGE ON INCOME-TAX

##### Paragraph A

##### Sub-Paragraph I

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies:—

Nil

- 15 per cent of the amount by which the total income exceeds Rs. 8,000;
- Rs. 1,050 plus 18 per cent of the amount by which the total income exceeds Rs. 15,000;
- Rs. 1,950 plus 25 per cent of the amount by which the total income exceeds Rs. 20,000;
- Rs. 3,200 plus 30 per cent of the amount by which the total income exceeds Rs. 25,000;
- Rs. 4,700 plus 40 per cent of the amount by which the total income exceeds Rs. 30,000;
- Rs. 12,700 plus 50 per cent of the amount by which the total income exceeds Rs. 50,000;
- Rs. 22,700 plus 55 per cent of the amount by which the total income exceeds Rs. 70,000;
- Rs. 39,200 plus 60 per cent of the amount by which the total income exceeds Rs. 1,00,000;

- |   |   |
|---|---|
| <p>(2) where the total income exceeds Rs. 8,000 but does not exceed Rs. 15,000</p> <p>(3) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000</p> <p>(4) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000</p> <p>(5) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000</p> <p>(6) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000</p> <p>(7) where the total income exceeds Rs. 50,000 but does not exceed Rs. 70,000</p> <p>(8) where the total income exceeds Rs. 70,000</p> | <p>18 per cent of the amount by which the total income exceeds Rs. 8,000;</p> <p>Rs. 1,260 plus 25 per cent of the amount by which the total income exceeds Rs. 15,000;</p> <p>Rs. 2,510 plus 30 per cent of the amount by which the total income exceeds Rs. 20,000;</p> <p>Rs. 4,010 plus 40 per cent of the amount by which the total income exceeds Rs. 25,000;</p> <p>Rs. 6,010 plus 50 per cent of the amount by which the total income exceeds Rs. 30,000;</p> <p>Rs. 16,010 plus 55 per cent of the amount by which the total income exceeds Rs. 50,000;</p> <p>Rs. 27,010 plus 60 per cent of the amount by which the total income exceeds Rs. 70,000.</p> |
|---|---|

Provided that for the purposes of this Sub-Paragraph,—

- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000;
- (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 10,690, the income-tax payable thereon shall not exceed seventy per cent of the amount by which the total income exceeds Rs. 10,000.

#### *Surcharge on Income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union

calculated at the rate of fifteen per cent of such income-tax.

#### *Paragraph B*

In the case of every co-operative society,—

#### *Rates of Income-tax*

- |   |   |
|---|---|
| <p>(1) where the total income does not exceed Rs. 10,000</p> <p>(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000</p> <p>(3) where the total income exceeds Rs. 20,000</p> | <p>15 per cent of the total income;</p> <p>Rs. 1,500 plus 25 per cent of the amount by which the total income exceeds Rs. 10,000;</p> <p>Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 20,000.</p> |
|---|---|

#### *Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax.

#### *Paragraph C Sub-Paragraph I*

In the case of every registered firm, not being a case to which Sub-Paragraph II of this Paragraph applies,—

#### *Rates of income-tax*

- |   |   |
|---|---|
| <p>(1) where the total income does not exceed Rs. 10,000</p> <p>(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000</p> <p>(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000</p> <p>(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000</p> <p>(5) where the total income exceeds Rs. 1,00,000</p> | <p>Nil;</p> <p>5 per cent. of the amount by which the total income exceeds Rs. 10,000;</p> <p>Rs. 750 plus 7 per cent of the amount by which the total income exceeds Rs. 25,000;</p> <p>Rs. 2,500 plus 15 per cent of the amount by which the total income exceeds Rs. 50,000;</p> <p>Rs. 10,000 plus 24 per cent. of the amount by which the total income exceeds Rs. 1,00,000.</p> |
|---|---|

#### *Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

#### *Sub-Paragraph II*

In the case of every registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income,—

#### *Rates of income-tax*

- |   |  |
|---|--|
| <p>(1) where the total income does not exceed Rs. 10,000</p> <p>(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000</p> <p>(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000</p> <p>(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000</p> <p>(5) where the total income exceeds Rs. 1,00,000</p> | <p>Nil;</p> <p>4 per cent of the amount by which the total income exceeds Rs. 10,000;</p> <p>Rs. 600 plus 7 per cent of the amount by which the total income exceeds Rs. 25,000;</p> <p>Rs. 2,350 plus 13 per cent of the amount by which the total income exceeds Rs. 50,000;</p> <p>Rs. 8,850 plus 22 per cent of the amount by which the total income exceeds Rs. 1,00,000.</p> |
|---|--|

#### *Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

*Explanation.*—For the purposes of this Paragraph, “registered firm” includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act.

#### *Paragraph D*

In the case of every local authority,—

#### *Rate of income-tax*

On the whole of the total income 50 per cent.

#### *Surcharge on income-tax*

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

#### *Paragraph E*

In the case of a company,—

#### *Rates of income-tax*

1. In the case of a domestic company,—

- (1) where the company is a company in which the public are substantially interested,—
- (i) in a case where the total income does not exceed Rs. 1,00,000 45 per cent of the total income;
- (ii) in a case where the total income exceeds Rs. 1,00,000 55 per cent of the total income;
- (2) where the company is not a company in which the public are substantially interested,—
- (i) in the case of an industrial company,—
- (a) where the total income does not exceed Rs. 2,00,000 55 per cent of the total income;
- (b) where the total income exceeds Rs. 2,00,000 60 per cent of the total income;
- (ii) in any other case 65 per cent of the total income;

Provided that—

- (i) the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—
- (a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and
- (b) eighty per cent of the amount by which its total income exceeds Rs. 1,00,000;
- (ii) the income-tax payable by a domestic company, not being a company in which the public are
- (a) the income-tax which would have been payable by the company if its total income had been Rs. 2,00,000 (the income of Rs. 2,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and
- (b) eighty per cent. of the amount by which its total income exceeds Rs. 2,00,000.

II In the case of a company other than a domestic company,—

- (i) on so much of the total income as consists of—
- (a) royalties received from an India concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976, or
- (b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976, and where such agreement has, in either case, been approved by the Central Government 50 per cent;
- (ii) on the balance, if any, of the total income 70 per cent.

#### Surcharge on income tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

#### PART II

##### Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194BB, 194D and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to deduction at the following rates:—

	Income-tax	
	Rate of income-tax	Rate of surcharge
<b>In the case of a person other than a company—</b>		
(a) where the person is resident in India—		
(i) on income by way of interest other than "Interest on securities"	10 per cent.	Nil;
(ii) on income by way of winnings from lotteries and crossword puzzles	30 per cent.	6 per cent.;
(iii) on income by way of winnings from horse races	30 per cent.	6 per cent.;
(iv) on income by way of insurance commission	10 per cent.	Nil;
(v) on income by way of interest payable on—	10 per cent.	Nil;
(A) any security other than a tax free security of the Central or a State Government;		
(B) any debentures or other securities for money issued by or on behalf of any local authority or a corporation established by a Central, State or Provincial Act;		
(C) any debentures issued by a company where such debentures are listed in a recognised stock exchange in India in accordance with the Securities Contracts (Regulation) Act, 1956 (42 of 1956), and any rules made thereunder		
(vi) on any other income (excluding interest payable on a tax-free security)	20 per cent.	4 per cent
(b) where the person is not resident in India—		
(i) on the whole income (excluding interest payable on a tax-free security)	income-tax at 30 per cent and surcharge at 6 per cent of the amount of the income, or income-tax and surcharge on income-tax in respect of the income	

	Income-tax	
	Rate of income-tax	Rate of surcharge
	at the rates prescribed in Sub-Paragraph I of Paragraph A of Part III of this Schedule, if such income had been the total income,	
(ii) on income by way of interest payable on a tax-free security	whichever is higher;	
2. In the case of a company—	15 per cent	3 per cent
(a) where the company is a domestic company—		
(i) on income by way of interest other than "Interest on securities"	20 per cent.	1.5 per cent;
(ii) on any other income (excluding interest payable on a tax-free security)	22.5 per cent.	1.5 per cent;
(b) where the company is not a domestic company—		
(i) on income by way of dividends payable by any domestic company	25 per cent.	Nil;
(ii) on income by way of royalty payable by an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1976, where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern	40 per cent.	Nil;
(iii) on income by way of royalty [not being royalty of the nature referred to in sub-item (b) (ii)] payable by an Indian concern in pursuance of an agreement made by it with the Indian concern and which has been approved by the Central Government,—		
(A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976	50 per cent	3.75 per cent;
(B) where the agreement is made after the 31st day of March, 1976—		
(1) on so much of the amount of such income as consists of lump sum consideration for the transfer outside India of, or the imparting of information outside India in respect of, any data, documentation, drawing or specification relating to any patent, invention, model, design, secret formula or process, or trade mark or similar property	20 per cent	Nil;
(2) on this balance, if any, of such income	40 per cent	Nil;
(iv) on income by way of fees for technical services payable by an Indian concern in pursuance of an agreement made by it with the Indian concern and which has been approved by the Central Government—		
(A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976	50 per cent.	3.75 per cent.;
(B) where the agreement is made after the 31st day of March, 1976	40 per cent	Nil;
(v) on income by way of interest payable on a tax-free security	44 per cent	3.3 per cent;
(vi) on any other income	70 per cent	5.25 per cent.

## PART III

*Rates for calculating or charging income-tax in certain cases, deducting income-tax from income chargeable under the head "Salaries" or any payment referred to in sub-section (9) of section 80E and computing "advance tax".*

In cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or subsection (2) of the section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force,

such income-tax or, as the case may be, "advance tax" (not being "advance tax" in respect of any income chargeable to tax under Chapter XII or section 164 of the Income-tax Act at the rates as specified in that Chapter or section), shall be so calculated, charged, deducted or computed at the following rate or rates:—

## Paragraph A

## Sub-Paragraph I

In the case of every individual or Hindu undivided family or un-registered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies,—

## Rates of income-tax

- |  |   |
|--|---|
| (1) where the total income does not exceed Rs. 8,000                           | Nil;  |
| (2) where the total income exceeds Rs. 8,000 but does not exceed Rs. 15,000    | 15 per cent of the amount by which the total income exceeds Rs. 8,000;                    |
| (3) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000   | Rs. 1,050 plus 18 per cent of the amount by which the total income exceeds Rs. 15,000;    |
| (4) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000   | Rs. 1,950 plus 25 per cent. of the amount by which the total income exceeds Rs. 20,000;   |
| (5) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000   | Rs. 3,200 plus 30 per cent of the amount by which the total income exceeds Rs. 25,000;    |
| (6) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000   | Rs. 4,700 plus 40 per cent of the amount by which the total income exceeds Rs. 30,000;    |
| (7) where the total income exceeds Rs. 50,000 but does not exceed Rs. 70,000   | Rs. 12,700 plus 50 per cent of the amount by which the total income exceeds Rs. 50,000;   |
| (8) where the total income exceeds Rs. 70,000 but does not exceed Rs. 1,00,000 | Rs. 22,700 plus 55 per cent of the amount by which the total income exceeds Rs. 70,000;   |
| (9) where the total income exceed Rs. 1,00,000                                 | Rs. 39,200 plus 60 per cent of the amount by which the total income exceeds Rs. 1,00,000; |

Provided that for the purposes of this Sub-Paragraph,—

- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000;
- (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 12,000, the income-tax payable thereon shall not exceed thirty per cent of the amount by which the total income exceeds Rs. 10,000.

*Surcharge on income-tax*

The amount of income-tax computed in accordance

*Rates of income-tax*

- |  |   |
|--|---|
| (1) where the total income does not exceed Rs. 8,000                         | Nil;  |
| (2) where the total income exceeds Rs. 7,000 but does not exceed Rs. 15,000  | 18 per cent. of the amount by which the total income exceeds Rs. 8,000;                 |
| (3) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000 | Rs. 1,260 plus 25 per cent of the amount by which the total income exceeds Rs. 15,000;  |
| (4) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000 | Rs. 2,510 plus 30 per cent of the amount by which the total income exceeds Rs. 20,000;  |
| (5) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000 | Rs. 4,010 plus 40 per cent of the amount by which the total income exceeds Rs. 25,000;  |
| (6) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000 | Rs. 6,010 plus 50 per cent of the amount by which the total income exceeds Rs. 30,000;  |
| (7) where the total income exceeds Rs. 50,000 but does not exceed Rs. 70,000 | Rs. 16,010 plus 55 per cent of the amount by which the total income exceeds Rs. 50,000; |
| (8) where the total income exceeds Rs. 70,000                                | Rs. 27,010 plus 60 per cent of the amount by which the total income exceeds Rs. 70,000; |

Provided that for the purposes of this Sub-Paragraph,—

- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000;
- (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 13,000, the income tax payable thereon shall not exceed thirty per cent of the amount by which the total income exceeds Rs. 10,000.

*Rates of income-tax*

- |  |  |
|--|--|
| (1) where the total income does not exceed Rs. 10,000                        | 15 per cent. of the total income;  |
| (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 | Rs. 1,500 plus 25 per cent of the amount by which the total income exceeds Rs. 10,000; |
| (3) where the total income exceeds Rs. 20,000                                | Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 20,000. |

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent. of such income-tax.

*Rates of income-tax*

- |  |   |
|--|---|
| (1) where the total income does not exceed Rs. 10,000                          | Nil;  |
| (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000   | 5 per cent. of the amount by which the total income exceeds Rs. 10,000;                   |
| (3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000   | Rs. 750 plus 7 per cent of the amount by which the total income exceeds Rs. 25,000;       |
| (4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 | Rs. 2,500 plus 15 per cent of the amount by which the total income exceeds Rs. 50,000;    |
| (5) where the total income exceeds Rs. 1,00,000                                | Rs. 10,000 plus 24 per cent of the amount by which the total income exceeds Rs. 1,00,000. |

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent of such income-tax.

*Rates of income-tax*

- |  |   |
|--|---|
| (1) where the total income does not exceed Rs. 10,000                          | Nil;  |
| (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000   | 4 per cent. of the amount by which the total income exceeds Rs. 10,000;                   |
| (3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000   | Rs. 600 plus 7 per cent. of the amount by which the total income exceeds Rs. 25,000;      |
| (4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 | Rs. 2,350 plus 13 per cent. of the amount by which the total income exceeds Rs. 50,000;   |
| (5) where the total income exceeds Rs. 1,00,000                                | Rs. 8,850 plus 22 per cent. of the amount by which the total income exceeds Rs. 1,00,000. |

with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent of such income-tax.

*Sub-Paragraph II*

In the case of every Hindu undivided family which at any time during the previous year has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1980 exceeds Rs. 10,000,—

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent. of such income-tax.

*Paragraph B*

In the case of every co-operative society,—

*Paragraph C*

*Sub-Paragraph I*

In the case of every registered firm, not being a case to which Sub-Paragraph II of this Paragraph applies,—

*Sub-Paragraph II*

In the case of every registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income,—

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent of such income-tax.

*Explanation.*—For the purposes of this Paragraph, “registered firm” includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act.

*Paragraph D*

In the case of every local authority,—

*Rates of Income-tax*

I. In the case of a domestic company,—

(1) where the company is a company in which the public are substantially interested,—

(i) in a case where the total income does not exceed Rs. 1,00,000 45 per cent of the total income;

(ii) in a case where the total income exceeds Rs. 1,00,000 55 per cent of the total income;

(2) where the company is not a company in which the public are substantially interested,—

(i) in the case of an industrial company,—

(a) where the total income does not exceed Rs. 2,00,000 55 per cent of the total income;

(b) where the total income exceeds Rs. 2,00,000 60 per cent of the total income;

(ii) in any other case 65 per cent of the total income;

Provided that—

(i) the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—

(a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(b) eighty per cent of the amount by which its total income exceeds Rs. 1,00,000;

II. In the case of a company other than a domestic company,—

(i) on so much of the total income as consists of—

(a) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976, or

(b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976, and where such agreement has, in either case, been approved by the Central Government

(ii) on the balance, if any, of the total income

On the whole of the total income 50 per cent

*Surcharge on income-tax*

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of twenty per cent of such income-tax.

*Paragraph E*

In the case of a company,—

(ii) the income-tax payable by a domestic company, not being a company in which the public are substantially interested, which is an industrial company and the total income of which exceeds Rs. 2,00,000, shall not exceed the aggregate of—

(a) the income-tax which would have been payable by the company if its total income had been Rs. 2,00,000 (the income of Rs. 2,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(b) eighty per cent of the amount by which its total income exceeds Rs. 2,00,000.

50 per cent;

70 per cent.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of seven and a half per cent of such income-tax.

**PART IV**

[See section 2 (7) (e)]

**RULES FOR COMPUTATION OF NEW AGRICULTURAL INCOME**

*Rule 1.*—Agricultural income of the nature referred to in sub-clause (a) of clause (1) of section 2 of the Income-tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head “Income from other sources” and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section

40A therein shall be construed as not including a reference to sub-sections (3) and (4) of section 40A.

*Rule 2.*—Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head “Profits and gains of business or profession” and the provisions of sections 30, 31, 32, 34, 36, 37, 38, 40, 40A [other than sub-sections (3) and (4) thereof], 41, 43 and 43A of the Income tax Act shall, so far as may be, apply accordingly.

*Rule 3.*—Agricultural income of the nature referred to in sub-clause (c) of clause (1) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to

in the said sub-clause (c) shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from house property" and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of the said section 23 shall apply subject to the modifications that the references to "total income" therein shall be construed as references to net agricultural income and that the words, figures and letter "and before making any deduction under Chapter VIA" shall be omitted.

**Rule 4.**—Notwithstanding anything contained in any other provisions of these rules, in a case where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent of such income shall be regarded as the agricultural income of the assessee.

**Rule 5.**—Where the assessee is a partner of a registered or an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act, which in the previous year has any agricultural income, or is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of the said section 183 and which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an unregistered firm but has any agricultural income, then, the agricultural income or loss of the firm shall be computed in accordance with these rules and his share in the agricultural income or loss of the firm shall be computed in the manner laid down in sub-section (1), sub-section (2) and sub-section (3) of section 67 of the Income-tax Act and the share so computed shall be regarded as the agricultural income or loss of the assessee.

**Rule 6.**—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) but has any agricultural income, then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

**Rule 7.**—Where the result of the computation for the previous year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that previous year from any other source of agricultural income:

Provided that where the assessee is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of section 183 of the Income-tax Act or is a member of an association of persons or a body of individuals and the share of the assessee in the agricultural income of the firm, association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

**Rule 8.**—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

**Rule 9.**—(1) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 1979, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 1974 or the 1st day of April, 1975 or the 1st day of April, 1976 or the 1st day of April, 1977

or the 1st day of April, 1978, is a loss, then for the purposes of sub-section (2) of section 2 of this Act,—

- (i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1974, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1975 or the 1st day of April, 1976 or the 1st day of April, 1977, or the 1st day of April, 1978,
- (ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1975, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1976 or the 1st day of April, 1977, or the 1st day of April, 1978,
- (iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1976, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1977, or the 1st day of April, 1978,
- (iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1977, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1978, and
- (v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1978,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 1979.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 1980 or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than that previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 1974 or the 1st day of April, 1975 or the 1st day of April, 1976, or the 1st day of April, 1977 or the 1st day of April, 1978 or the 1st day of April, 1979, is a loss, then, for the purposes of sub-section (6) of section 2 of this Act,—

- (i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1974, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1975 or the 1st day of April, 1976 or the 1st day of April, 1977 or the 1st day of April, 1978 or the 1st day of April, 1979,
- (ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1975, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1976 or the 1st day of April, 1977 or the 1st day of April, 1978 or the 1st day of April, 1979,
- (iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1976, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the

1st day of April, 1977 or the 1st day of April, 1978 or the 1st day of April, 1979,

- (iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1977, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1978 or the 1st day of April, 1979,
- (v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1978, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1979, and
- (vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1979,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 1980 or the period aforesaid.

(3) Where a change has occurred in the constitution of a firm, nothing in sub-rule (1) or sub-rule (2) shall entitle the firm to set off so much of the loss proportionate to the share of a retired or deceased partner computed in the manner laid down in sub-section (1), sub-section (2) and sub-section (3) of section 67 of the Income-tax Act as exceeds his share of profits, if any, of the previous year in the firm, or entitle any partner to the benefit of any portion of the said loss (computed in the manner aforesaid) which is not apportionable to him.

(4) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (1) or sub-rule (2) shall entitle any person,

other than the person incurring the loss, to have it set off under sub-rule (1) or, as the case may be, sub-rule (2).

(5) Notwithstanding anything contained in this rule, no loss which has not been determined by the Income-tax Officer under the provisions of these rules, or the rules contained in Part IV of the First Schedule to the Finance Act, 1974 (20 of 1974), or of the First Schedule to the Finance Act, 1975 (25 of 1975), or of the First Schedule to the Finance Act, 1976 (66 of 1976), or of the First Schedule to the Finance (No. 2) Act, 1977 (29 of 1977), or of the Schedule to the Finance Act, 1978 (19 of 1978), shall be set off under sub-rule (1) or, as the case may be, sub-rule (2).

**Rule 10.**—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be nil.

**Rule 11.**—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

**Rule 12.**—For the purposes of computing the net agricultural income of the assessee, the Income-tax Officer shall have the same powers as the has under the Income-tax Act for the purposes of assessment of the total income.

## THE SECOND SCHEDULE (See section 28)

### PART I

In the First Schedule to the Customs Tariff Act, the existing entry "Camphor" occurring in column (2) against sub-heading No. (10) of Heading No. 29.01/45 shall be omitted.

### PART II

Heading No.	Sub-heading No. and description of article	Rate of duty		Duration when rates of duty are protective
		Standard	Preferential Areas	
(1)	(2)	(3)	(4)	(5)
In the First Schedule to the Customs Tariff Act, in Heading No. 29.01/45, after sub-heading No. (20), the following sub-heading shall be inserted, namely:—				
"(21)	Camphor	100%	..	..

## THE THIRD SCHEDULE

(See section 29).

### PART I

In the First Schedule to the Central Excises Act,—

- (i) in Item No. 1A, for each of the entries in the third column against sub-items (1), (2), (3) and (4), the entry "Twenty per cent *ad valorem*." shall be substituted;
- (ii) in Item No. 1B, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (iii) in Item No. 1C, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (iv) in Item No. 1D, for the entry in the third column against sub-item (2), the entry "Sixty per cent *ad valorem*." shall be substituted;
- (v) in Item No. 1E, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (vi) in Item No. 2, in the entry in the third column against sub-item (2), for the words "Twenty

per cent. *ad valorem*.", the words "Twenty-five cent. *ad valorem*." shall be substituted;

- (vii) in Item No. 4, under "11. Manufactured tobacco—", for the entries in the third column against sub-items (2), (3) (i), (3) (ii), (4), (5) and (6), the entries "Three hundred per cent. *ad valorem*. plus twenty rupees per thousand.", "Six rupees per thousand.", "Three rupees per thousand.", "Three hundred per cent *ad valorem*.", "Thirty per cent *ad valorem*." and "Six rupees per kilogram." shall, respectively, be substituted;
- (viii) in Item No. 5, for the entry in the third column, the entry "Nil" shall be substituted;
- (ix) in Item No. 6, for the entry in the third column, the entry "Two thousand seven hundred and fifty rupees per kilolitre at fifteen degrees of Centigrade thermometer." shall be substituted;
- (x) in Item No. 7, for the entry in the third column, the entry "Five hundred rupees per kilolitre at fifteen degrees of Centigrade thermometer." shall be substituted;
- (xi) in Item No. 11A, for the entry in the third column, against sub-item (2), the entry "Four hundred rupees per metric tonne." shall be substituted;



- (xii) in Item No. 14, for each of the entries in the third column against sub-item 1 (2) (ii), 1 (2) (iv), III (i) and III (ii), the entry "Twenty per cent *ad valorem*." shall be substituted;
- (xiii) in Item No. 14AA, for the entry in the third column against sub-item (1), the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (xiv) in Item No. 14DD, for the entry in the third column, the entry "Thirty per cent. *ad valorem*." shall be substituted;
- (xv) in Item No. 14F, for the entry in the third column, the entry "One hundred per cent *ad valorem*." shall be substituted;
- (xvi) in Item No. 14 FF, for the entry in the third column, the entry "Twenty-five per cent, *ad valorem*." shall be substituted;
- (xvii) in Item No. 14 H, —
- (a) for each of the entries in the third column against sub-items (i), (ii) and (iii) the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (b) for the entry in the third column against sub-item (iv), the entry "Rupee one per kilogram." shall be substituted;
- (c) for the entry in the third column against sub-item (v), the entry "Thirty per cent. *ad valorem*." shall be substituted;
- (d) for the entry in the third column against sub-item (vi), the entry "Fifteen per cent. *ad valorem*." shall be substituted;
- (xviii) in Item No. 15, for the entry in the third column against sub-item (1), the entry per cent. *ad valorem*." shall be substituted;
- (xix) "Twenty in Item No. 15A,—
- (a) for each of the entries in the third column against sub-items (3) and (4), the entry "Seventy-five per cent. *ad valorem*." shall be substituted;
- (b) the *Explanation* shall be numbered as *Explanation I*, and after that *Explanation* as so numbered, the following *Explanation* shall be inserted, namely:—
- "*Explanation II*.—This Item does not include electrical insulators or electrical insulating fittings or parts of such insulators or insulating fittings.";
- (xx) in item No. 15 AA, for the entry in the third column, the entry "Twenty per cent. *ad valorem*." shall be substituted;
- (xxi) in Item No. 15 D, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (xxii) in Item No. 16A, for the entries in the third column against sub-items (1), (2) (3) and (4), the entries "Fifty-five per cent. *ad valorem*." "Thirty five per cent *ad valorem*." "Twenty-five per cent. *ad valorem*." and "Twenty-five per cent *ad valorem*." shall, respectively, be substituted;
- (xxiii) in Item No. 16B, for the entry in the third column against sub-item (ii), the entry "Thirty per cent. *ad valorem*." shall be substituted;
- (xxiv) in Item No. 18, for the entry in the third column against sub-item III(i), the entry "Six paise per count per kilogram." shall be substituted;
- (xxv) in Item No. 18A, for the entry in the third column against sub-item (i), the entry "Six paise per cent count per kilogram." shall be substituted;
- (xxvi) in Item No. 19, after *Explanation II*, the following *Explanation* shall be inserted, namely:—
- "*Explanation III*.—This Item does not include floor coverings, falling under Item No. 22G.";
- (xxvii) in Item No. 21 —
- (a) for the entry in the third column against sub-item (1), the entry "Twelve per cent *ad valorem*." shall be substituted;
- (b) after *Explanation II*, the following *Explanation* shall be inserted, namely:—
- "*Explanation III*.—This Item does not include floor coverings, falling under Item No. 22G.";
- (xxiii) in Item No. 22, after *Explanation III*, the following *Explanation* shall be inserted, namely:—
- "*Explanation IV*.—This Item does not include floor coverings, falling under Item No. 22G.";
- (xxix) in Item No. 22 C, for the entry in the third column, the entry "Thirty per cent *ad valorem*." shall be substituted;
- (xxx) in Item No. 22 E, for the entry in the third column, the entry "Twenty per cent *ad valorem*." shall be substituted;
- (xxxi) in Item No. 22F,—
- (a) the *Explanation* shall be numbered as *Explanation I*, and for clause (iv) of the *Explanation* as so numbered, the following clause shall be substituted, namely:—
- "(iv) manufactures in which mineral fibres or yarn or both predominate or predominates in weight.";
- (b) after *Explanation I* as so numbered, the following *Explanation* shall be inserted, namely:—
- "*Explanation II*.—This Item does not include asbestos cement products";
- (xxxii) in Item No. 23 A,—
- (a) for sub-item (1), the following sub-item shall be substituted, namely:—
- (1) Flat glass      Thirty five per cent *ad valorem*.";
- Explanation*.—"Flat glass" includes sheet glass, wired glass and rolled glass whether in the form of plate glass, figured glass or in any other form.
- (b) for sub-item (4), the following sub-item shall be substituted, namely:—
- "(4) Other glass and      Thirty five per cent *ad valorem*.";  
glassware including      *valorem*.";  
tableware
- (c) the following *Explanation* shall be inserted at the end, namely:—
- "*Explanation*.—This Item does not include electrical insulators or electrical insulating fittings or parts of such insulators or insulating fittings.";
- (xxxiii) in Item No. 23B,—
- (a) for the entry in the third column against sub-item (4), the entry "Thirty per cent *ad valorem*." shall be substituted;
- (b) the *Explanation* shall be numbered as *Explanation I*, and after that *Explanation* as so numbered, the following *Explanation* shall be inserted, namely:—
- "*Explanation II*.—This Item does not include electrical insulators or electrical insulating fittings or parts of such insulators or insulating fittings.";
- (xxxiv) in Item No. 28A, for the entry in the third column, the entry "Twenty per cent *ad valorem*." shall be substituted;

- (xxxv) in Item No. 29A, for the entries in the third column against sub-items (1) and (2), the entries "Eighty per cent *ad valorem*." and "One hundred and ten per cent *ad valorem*." shall, respectively, be substituted;
- (xxxvi) in Item No. 30, under "A. Motors which operate on alternating current—", for the entry in the third column against sub-item (2) (i), the entry "Twenty per cent *ad valorem*." shall be substituted;
- (xxxvii) in Item No. 30B, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (xxxviii) in Item No. 32, for the entry in the third column against sub-item (1), the entry "Thirty per cent *ad valorem*." shall be substituted;
- (xxxix) in Item No. 33A, —
- (a) for the entry in the third column against sub-item (1), the entry "Thirty per cent *ad valorem*." shall be substituted;
- (b) for each of the entries in the third column against sub-items (2), (3) and (4), the entry "Forty per cent *ad valorem*." shall be substituted;
- (xl) in Item No. 33B, for the entry in the third column against sub-item (i), the entry "Twenty per cent *ad valorem*." shall be substituted;
- (xli) in Item No. 33C, for the entry in the third column, the entry "Thirty per cent *ad valorem*." shall be substituted;
- (xlii) in Item No. 33D, for the entry in the third column, the entry "Twenty per cent *ad valorem*." shall be substituted;
- (xliii) in Item No. 33 DD, for the entry in third column the entry "Twenty-five per cent. *ad valorem*." shall be substituted;
- (xliv) in Item No. 33F, for each of the entries in the third column against sub-items (1) and (2), the entry "Forty per cent *ad valorem*." shall be substituted;
- (xlv) in Item No. 34,—
- (a) under "I. Motor vehicles—", for the entries in the third column against sub-items (1), 2 (i), 2(ii) and (3), the entries "Twenty per cent *ad valorem*.", "Twenty-five per cent *ad valorem*.", "Thirty per cent *ad valorem*." and "Twenty-five per cent *ad valorem*." shall, respectively, be substituted;
- (b) under "III. Trailers", for the entry in the third column, the entry "Ten per cent *ad valorem*." shall be substituted;
- (xvi) in Item No. 34 B, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;

- (xlvii) Item No 35 shall be omitted;
- (xlviii) in Item No. 37A, for the entry in the third column against sub-item (i), the entry "Twenty-five per cent. *ad valorem*." shall be substituted;
- (xlix) in Item No. 37AA, for the entry in the third column, the entry "Forty per cent. *ad valorem*." shall be substituted;
- (i) in Item No. 37B, for the entries in the third column against sub-items (1) and (2), the entries "Twenty-five per cent *ad valorem*." and "Thirty-five per cent *ad valorem*." shall, respectively, be substituted;
- (ii) in Item No. 38, for the entry in the third column, the entry "One rupee and thirty paise for every 1,000 matches or fraction thereof." shall be substituted;
- (lii) in Item No. 40, for the entry in the third column, the entry "Twenty-five per cent. *ad valorem*." shall be substituted;
- (liii) in Item No. 43, for the entry in the second column, the following entry shall be substituted, namely:—

"WOOL TOPS AND CARDED GILLED SLIVERS CONTAINING, IN EITHER CASE, MORE THAN FIFTY PER CENT BY WEIGHT OF WOOL CALCULATED ON THE TOTAL FIBRE CONTENT."

- (liv) in Item No. 45, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lv) in Item No. 48, for the entry in the third column, the entry "Thirty-five per cent. *ad valorem*." shall be substituted;
- (lvi) in Item No. 51A, for the entry in the third column, the entry "Fifteen per cent. *ad valorem*." shall be substituted;
- (lvii) in Item No. 52, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lviii) in Item No. 53, for the entries in the third column against sub-items (1) and (2), the entries "Twenty-five per cent *ad valorem*." and "Thirty per cent *ad valorem*." shall, respectively, be substituted;
- (lix) in Item No. 56, for the entry in the third column, the entry "Thirty per cent. *ad valorem*." shall be substituted;
- (lx) in Item No. 57, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lxi) in Item No. 58, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lxii) in Item No. 60, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lxiii) in Item No. 61, for the entry in the third column, the entry "Twenty per cent *ad valorem*." shall be substituted;
- (lxiv) in Item No. 63, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lxv) in Item No. 64, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted;
- (lxvi) in Item No. 65, for the entry in the third column, the entry "Fifteen per cent *ad valorem*." shall be substituted.

## PART II

Item No. (1)	Description of goods (2)	Rate of duty (3)
In the First Schedule to the Central Excises Act,—		
	(i) in Item No. 4, under "II. Manufactured tobacco—", after sub-item (6), the following sub-item shall be inserted, namely:— "(7) Hookah tobacco	Fifteen per cent <i>ad valorem</i> ."
"14C.	(ii) for Item No. 14C, the following Item shall be substituted, namely:— GLYCERINE— (1) Crude glycerine (2) Glycerine, other than crude glycerine	Fifteen per cent <i>ad valorem</i> . Fifteen per cent <i>ad valorem</i> ."
"22G.	(iii) after Item No. 22F, the following Item shall be inserted, namely:— FLOOR COVERINGS, NAMELY:— CARPETS, CARPETING AND RUGS (MADE UP OR NOT)	Thirty per cent <i>ad valorem</i> ."
Explanation 1.—This Item does not include <i>Dari</i> , <i>Sataranji</i> , <i>Namdahs</i> , <i>Jute carpets</i> and <i>Coir carpets</i> .		

1 2 3

**Explanation II.**—This Item shall include carpets, carpeting and rugs, having the characteristics of floor coverings but intended for use for any other purpose whatsoever.

- (iv) for Item No. 34A, the following Item shall be substituted, namely:—  
**34A. PARTS AND ACCESSORIES OF MOTOR VEHICLES AND TRACTORS, INCLUDING TRAILERS, THE FOLLOWING, NAMELY:—** Twenty per cent *ad valorem*.  
 (i) Brake linings;  
 (ii) Clutch facings;  
 (iii) Engine valves;  
 (iv) Gaskets;  
 (v) Nozzles and nozzle holders;  
 (vi) Pistons;  
 (vii) Piston rings;  
 (viii) Gudgeon pins;  
 (ix) Circlips;  
 (x) Shock absorbers;  
 (xi) Sparking plugs;  
 (xii) Thin-walled bearings;  
 (xiii) Tie rod ends;  
 (xiv) Electric horns;  
 (xv) Filter elements, inserts and cartridges.

**Explanation I.**—The expression "Motor vehicles" has the meaning assigned to it in Item No. 34.

**Explanation II.**—The expression "Tractors" shall include agricultural tractors.

- (v) for Item No. 68, the following item shall be substituted, namely:—  
**"68. ALL OTHER GOODS, NOT ELSEWHERE SPECIFIED, BUT EXCLUDING—** Eight per cent *ad valorem*.  
 (a) alcohol, all sorts, including alcoholic liquors for human consumption;  
 (b) opium, Indian hemp and other narcotic drugs and narcotics; and  
 (c) dutiable goods as defined in section 2 (c) of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955).

#### THE FOURTH SCHEDULE

(See section 3)

In the First Schedule to the Additional Duties of Excise Act, item No. 4, under "II. Manufactured tobacco"—

- (i) for the entries in the third column against sub-items (2), (3) (i) and (3) (ii), the entries "one hundred per cent. *ad valorem*. plus ten rupees per thousand." "Two rupees per thousand." and "One rupee per thousand." shall, respectively, be substituted;  
 (ii) after sub-item (4), the following sub-items shall be inserted, namely:—  
 "(5) Chewing tobacco Ten per cent *ad valorem*.  
 (6) Snuff Two rupees per kilogram.  
 (7) Hookah tobacco Five per cent *ad valorem*."

Assented to on 16th May, 1979.

#### THE SPECIAL COURTS ACT, 1979

(ACT No. 22 OF 1979)

AN

ACT

to provide for the speedy trial of a certain class of offences.

WHEREAS Commissions of Inquiry appointed under the Commissions of Inquiry Act, 1952 have rendered reports disclosing the existence of *prima facie* evidence of offences committed by persons who held high public or political offices in the country and others connected with the commission of such offences during the operation of the Proclamation of Emergency, dated the 25th June, 1975, issued under clause (1) article 352 of the Constitution;

AND WHEREAS investigations conducted by the Government through its agencies have also disclosed similar offences committed during the period aforesaid;

AND WHEREAS the offences referred to in the recitals aforesaid were committed during the operation of the said Proclamation of Emergency, during which a grave emergency was clamped on the whole country, civil liberties were curtailed to a great extent, important fundamental rights of the people were suspended, strict

censorship was imposed on the press, judicial powers were severely crippled and the parliamentary democratic system was emasculated;

AND WHEREAS all powers being a trust, and holders of high public or political offices are accountable for the exercise of their powers in all cases where Commissions of Inquiry appointed under the Commissions of Inquiry Act, 1952 or investigations conducted by Government through its agencies disclose offences committed by such holders;

AND WHEREAS it is the constitutional, legal and moral obligation of the State to prosecute persons involved in the said offences;

AND WHEREAS the ordinary criminal courts due to congestion of work and other reasons cannot reasonably be expected to bring those prosecutions to a speedy termination;

AND WHEREAS it is imperative for the efficient functioning of parliamentary democracy and the institutions created by or under the Constitution of India that the commission of offences referred to in the recitals aforesaid should be judicially determined with the utmost dispatch;

AND WHEREAS it is necessary for the said purpose to establish additional courts presided over by sitting Judges of High Courts;

AND WHEREAS it is expedient to make some procedural changes whereby avoidable delay in the final determination of the innocence or guilt of the persons to be tried is eliminated without interfering with the right to fair trial;

BE it enacted by Parliament in the Thirtieth Year of Republic of India as follows:—

1. **Short title and extent.**—(1) This Act may be called the Special Courts Act, 1979.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

- (a) "Code" means the Code of Criminal Procedure, 1973 (2 of 1974);
- (b) "declaration", in relation to an offence, means a declaration made under section 5 in respect of such offence;
- (c) "Special Court" means a Special Court established under section 3;
- (d) words and expressions used but not defined in this Act but defined in the Code shall have the same meanings as in the Code.

3. *Establishment of Special Courts.*—(1) The Central Government shall, by notification in the Official Gazette, establish an adequate number of courts to be called Special Courts.

(2) A special Court shall consist of a sitting Judge of a High Court nominated by the Chief Justice of the High Court within the local limits of whose jurisdiction the Special Court is situated, with the concurrence of the Chief Justice of India.

*Explanation.*—Any reference to a High Court or to the Chief Justice or Judge of a High Court shall, in relation to a Union territory having a Court of the Judicial Commissioner, be construed as a reference to the said Court of the Judicial Commissioner or to the Judicial Commissioner or any Additional Judicial Commissioner, as the case may be.

4. *Cognizance of cases by Special Courts.*—A Special Court shall take cognizance of or try such cases as are instituted before it or transferred to it as hereinafter provided.

5. *Declaration by Central Government of cases to be dealt with under this Act.*—(1) If the Central Government is of opinion that there is *prima facie* evidence of the commission of an offence alleged to have been committed by a person who held high public or political office in India and that in accordance with the guidelines contained in the preamble hereto the said offence ought to be dealt with under this Act, the Central Government shall make a declaration to that effect in every case in which it is of the aforesaid opinion.

(2) Such declaration shall not be called in question in any court.

6. *Effect of declaration.*—On such declaration being made in respect of any offence, notwithstanding anything in the Code, any prosecution in respect of such offence shall be instituted only in a Special Court designated by the Central Government and any prosecution in respect of such offence pending in any court shall stand transferred to a Special Court designated by the Central Government.

7. *Pending appeal or revision to be transferred to Supreme Court.*—If at the date of the declaration in respect of any offence an appeal or revision against any judgment or order in a prosecution in respect of such offence, whether pending or disposed of, is itself pending in any court of appeal or revision, the same shall stand transferred for disposal to the Supreme Court.

8. *Jurisdiction of Special Courts as to Joint trials.*—A Special Court shall have jurisdiction to try any person concerned in the offence in respect of which a declaration has been made, either as principal, conspirator or abettor and all other offences and accused persons as can be jointly tried therewith at one trial in accordance with the Code.

9. *Procedure and powers of Special Courts.*—(1) A Special Court shall in the trial of such cases follow the procedure prescribed by the Code, for the trial of warrant cases before a magistrate.

(2) A Special Court may, with a view to obtaining evidence of any person suspected to have been directly or indirectly concerned in or privy to an offence, tender a pardon to such person on condition of his making full and true disclosure of the whole circumstances within his knowledge relating to the offence and to every other person concerned whether as principal, conspirator or abettor in the commission thereof and any pardon so tendered shall for the purposes of section 308 of the Code be deemed to have been tendered under section 307 thereof.

(3) Save as expressly provided in this Act, the provisions of the Code shall, in so far as they are not inconsistent with the provisions of this Act, apply to the proceedings before a Special Court and for the purposes of the said provisions of the Code a Special Court shall be deemed to be a Court of Session and shall have all the powers of a Court of Session and the person conducting a prosecution before a Special Court shall be deemed to be a Public Prosecutor.

(4) A Special Court may pass upon any person convicted by it any sentence authorised by law for the punishment of the offence of which such person is convicted.

10. *Power of Supreme Court to transfer cases.*—(1) Whenever it is made to appear to the Supreme Court that an order under this section is expedient for the ends of justice, it may direct that any particular case be transferred from one Special Court to another Special Court.

(2) The Supreme Court may act under this section only on the application of the Attorney-General of India or of a party interested, and every such application shall be made by motion, which shall, except when the applicant is the Attorney-General of India or the Advocate-General of a State, be supported by affidavit or affirmation.

(3) Where any application for the exercise of the powers conferred by this section is dismissed, the Supreme Court may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding one thousand rupees as it may consider appropriate in the circumstances of the case.

11. *Appeal.*—(1) Notwithstanding anything in the Code, an appeal shall lie as of right from any judgment, sentence or order, not being interlocutory order, of a Special Court to the Supreme Court both on facts and on law.

(2) Except as aforesaid, no appeal or revision shall lie to any court from any judgment, sentence or order of a Special Court.

(3) Every appeal under this section shall be preferred within a period of thirty days from the date of any judgment, sentence or order of a Special Court.

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days.

12. *Power to make rules.*—The Supreme Court may, by notification in the Official Gazette, make such rules, if any, as it may deem necessary for carrying out the purposes of this Act.

13. *Notifications under section 3 and declarations under section 5 to be laid before Parliament.*—Every notification made under sub-section (1) of section 3 and every declaration made under sub-section (1) of section 5 shall be laid, as soon as may be after it is made, before each House of Parliament.

**विधि विभाग**

**अधिसूचना**

सिमाका-171002, 2 जुलाई, 1979

क्रमांक G-83/68(विधि).—कन्द्रीय सरकार के विधि, न्याय और कम्पनी कार्य मन्त्रालय, विधि कार्य विभाग की अधिसूचना क्रमांक: सा0का0नि0 383 (अ) दिनांक 10 जून, 1979 को कि भारत के राजपत्र (असाधारण) के भाग-II खण्ड 3(i) दिनांक 19 जून, 1979 को एतद्द्वारा सर्वसाधारण की जानकारी के लिये राजपत्र, हिमाचल प्रदेश में पुनः प्रकाशित किया जाता है।

श्री चन्द मलहोत्रा,  
सचिव।

विधि, न्याय और कम्पनी कार्य मन्त्रालय

(विधि कार्य विभाग)

सन्देश (क) अनुभाग

अधिसूचना

नई दिल्ली, 19 जून, 1979

सा.नि. 383(अ).—कन्द्रीय सरकार, संविधान (चौवाथवां संशोधन) अधिनियम, 1978 की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए—

(क) राजपत्र में इस अधिसूचना के प्रकाशित होने की तारीख के ठीक पचासवर्षी तारीख को उस तारीख के रूप में नियत करती है, जिस तारीख को उक्त अधिनियम की धारा 2, 4 से 16 (जिसमें दोनों सम्मिलित हैं), 22, 23, 25 से 29 (जिसमें दोनों सम्मिलित हैं), 31 से 42 (जिसमें दोनों सम्मिलित हैं), 44 और 45 प्रवृत्त होंगी।

(ख) 1979 के अगस्त के प्रथम दिन को उन तारीख के रूप में नियत करती है जिस तारीख को उक्त अधिनियम की धारा 17 से 21 (जिसमें दोनों सम्मिलित हैं) और 30 प्रवृत्त होंगी।

[सं.का.1(8)/78-सन्देश(क)]

पी.बी.वेण्कटसुब्रमणियम,  
सचिव।

**MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS**

(Department of Legal Affairs)

Advice (A) Section

NOTIFICATION

New Delhi, the 19th June, 1979

G.S.R. 383(E).—In exercise of the powers conferred by sub-section (2) of Section 1 of the Constitution (Forty-fourth Amendment) Act, 1978, the Central Government hereby appoints:—

- the date immediately following the date on which this notification is published in the Official Gazette, as the date on which sections 2, 4 to 16 (both inclusive), 22, 23, 25 to 29 (both inclusive), 31 to 42 (both inclusive), 44 and 45 of the said Act shall come into force;
- the 1st day of August, 1979, as the date on which sections 17 to 21 (both inclusive), and 30 of the said Act shall come into force.

[No. F. 1(18)/78-Adv. (A)]

P. B. VENKATASUBRAMANIAN,  
Secretary.

**भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं**

सूच

अनुसूचक

सूच

**PART I**

सहस्र एवं परिवार कल्याण विभाग

अधिसूचना

सिमाका-2, 29 अगस्त, 1979

संख्या स्वा. ए(2)-1/78.—प्रिवेन्शन ऑफ फूड एडवन्टेशन अधिनियम, 1954 (1954 का 37) की धारा 9 तथा प्रिवेन्शन ऑफ फूड एडवन्टेशन नियम, 1955 के नियम 8 के अन्तर्गत शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश श्री गुरदास राम पुरी, सफाई निरीक्षक, जो आजकल जिला मिरमौर के पाँचठा स्थान पर नियुक्त हैं, को उनके कर्तव्यों के अतिरिक्त स्थानीय क्षेत्र में जो

उनकी नियुक्ति के ज़िला में माने हैं, तुरन्त साथ निरीक्षक का में सहय नियुक्त करते हैं।

2. प्रिवेन्शन ऑफ फूड एडवन्टेशन अधिनियम, 1954 (1954 का 37) की धारा 20 के अन्तर्गत शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश उपरोक्त साथ निरीक्षक को उक्त अधिनियम के अन्तर्गत दत्त शक्तियों के विरुद्ध अभिज्ञान चलाने के लिए भी उनका स्थानीय क्षेत्र/क्षेत्रों में सहय तुरन्त प्राधिकृत करने हैं।

अमर नाथ बिबाधी,  
सचिव।

**PART V**

In the Court of Shri R. C. Sharma, Sub-Judge, 1st Class,  
Hamirpur

C. S. No. 166 of 1978

गोसाळ बनाम बंशी

बनाम.—(4) समूह, (5) मदन राम ss/o सुतसही, (6) श्रीमती जयता बेवा महन्त, (7) सर्वप, (8) चन्द ss/o महन्त, बासी गुमर, तथा कंगल राज गिरी,

तहसील व जिला हमीरपुर, (10) मदन राम ss/o चौधरी बासी बदा बा दाखली घालमपुर, तहसील घालमपुर।

उपरोक्त मुकदमा बाला में उपरोक्त मुदनेम के नाम कई बार समन इस अदालत से बराए पैरवी मुकदमा जारी हुए और मुदनेम ताहास समन की तामिल करने से मुरज करने रहे हैं। एवं उपरोक्त मुदनेम के नाम आर्डर 5 Rule 20, C.P.C. के तहत इस्तहार जारी करके लिखा जाता है कि मुदनेम को सूचित किया गया

कि वह निधि 12-8-79 को असावतन या बकायतन हाजर या कर देवी मुकदमा करे बमूल नैर हाजरी कार्रवाई एक तरफा अमल में लाई जावेगी।

आज दिनांक 16-8-79 को बरोज बीरवार हमारे हस्ताक्षर व मोहर बदायतन के जारी हुआ।

मोहर।

रघुवीर सिंह वन्देन,  
एसीस्टेंट कुर्नेकर, द्वितीय श्रेणी, शिमला।

आज दिनांक 17-8-79 को मेरे दस्तखत व मोहर अदायत में जारी हुआ।

In the court of Shri O. P. Sharma, Senior Sub-Judge,  
Mandi, H. P.

CASE CIVIL MISC. APPLICATION NO. 47/79

Shrimati Veena Rani widow of Shri Gyan Chand,  
resident of Mauja Kandha, Tehsil Karsog, District  
Mandi, H. P. Applicant.

Versus

General Public.

Respondent.

Application u/s 8 of Hindu Minority and  
Guardianship Act, 1956 for the grant of permis-  
sion to transfer by sale the lands owned and  
possessed by Shri Ravinder Kumar minor sons  
of Shri Gyan Chand (deceased) and the applicant.

To

The General Public.

Whereas in the above noted application the applicant  
has moved an application for the grant of permission to  
sell the land of minor share in resident of Kandha,  
Tehsil Karsog, District Mandi, H. P.

The notice is hereby given to the General Public that  
if any kinsman or the near relative of the applicant has  
got any objection in grant of permission may, file the  
same in this court on or before 4-9-1979 afterwards no  
objection will be entertained.

Given under my hand and the seal of the court this  
24th day of August, 1979.

Seal.

O. P. SHARMA,  
Senior Sub-Judge.

मोहर।

आर० नौ० शर्मा,  
जज-जज, प्रथम श्रेणी।

उत्तरांचल जेर आर्डर 5, कन 20, जास्ता दिवाली

बप्रदान श्री रघुवीर सिंह वन्देन, एसीस्टेंट कुर्नेकर  
द्वितीय श्रेणी, नहुसीन व जिना शिमला

मुकदमा नं० 64/77 दस्तखत इन्द्राज कन्हा

श्री भगवत राम पुत्र गंगा राम, निवासी ग्राम भरलोड, परमना  
बमेल, तहसील व जिना शिमला प्राप्ति।

श्री बुधराम पुत्र श्री हरीकृष्ण, निवासी ग्राम भरलोड, परमना  
बमेल, तहसील व जिना शिमला प्रतिवादी।

दस्तखत जेर आर० 37 भू-राज-व अधिनियम, हिमाचल  
प्रदेश।

मुकदमा मुन्दरजा उनवान वाला में प्रतिवादी की तामील के  
लिए माधुरण नोटिस जारी दिये गए कि वे हाजर असावत या  
कर देवी व जवाब देही मुकदमा करे, परन्तु प्रतिवादी की तामील  
प्रधानी से शैवी मुश्किल है, इसलिए उन प्रतिवादी वदरिया  
दस्तखत गंगा हिमाचल प्रदेश माप्ताहिक द्वारा मुक्ति दिये  
जाता है कि मिति 12-9-1979 को मुकदमा तहसील शिमला  
(सूद जज वर) हाजर या कर देवी व जवाब देही मुकदमा  
करे। बमूल दगर सापीवाही एक तरफा अमल में लाई जावेगी।